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LETTER.

TO THE RIGHT HONORABLE,

THOMAS FRANKLAND LEWIS, M. P.

FROM

JOHN STRACHAN, D. D, L. L. D.

ARCHDEACON OF YORK.

Upper Canada



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TO THE RIGHT HONORABLE,

THOMAS FRANKLAND LEWIS, M.P.

York Upper Canada 1st Feby 1830

SIR,

IT is with great reluctance that I thus publicly address you on the Report of the Select Committee of the House of Commons on the Civil Government of Canada, of which you were Chairman. But the opinions expressed in that important document respecting the provision made for the religious instruction of the Protestant Inhabitants in these Colonies, appear to me so much at variance with justice, sound policy, and the principles of the British Constitution, as to call for the most serious observation.

Having already been actively engaged in the protection of this property, it will not I hope be deemed inconsistent with my duty, thus openly to record my protest against the adoption of the measures recommended, and to exert myself to the utmost of my power in defending the unity of Church and State in the Canadas, which is the brightest ornament of the British Constitution, and ought to be the glory of every Christian Government.

I am not insensible to the disadvantage attending my undertaking in the present temper of the times,

and how much more popular it is to attack, than to support religious establishments.—But as they are intended for the public good, it may be hoped, that if it can be proved that the one for which I am contending, now fulfils, and if left undisturbed will soon more perfectly fulfil the purpose of its institution, His Majesty's Government will not deprive us of the most precious gift which we possess—a gift bestowed upon us by one of the best of Kings, to support the Church of which he was a sincere member.

As the question is of the greatest importance to the future well-being of the Canadas, it will be necessary to explain it somewhat minutely, not only that those in power may be possessed of its true value, but that the British public at large may see, that the Church in this Colony is reduced to the necessity of defending her legal rights from threatened aggression.

In doing this I fear that I shall be found tedious, for the Canadas have as yet excited so little interest in England, that public attention is not easily won to their concerns. But of the propriety of the attempt there can be no doubt, for the Committee confess that the evidence from Upper Canada has not been equally ample and satisfactory with that which they had the advantage of receiving from the Lower Province.

To the absence of such evidence I am willing to attribute the extraordinary measures recommended respecting the Clergy Reserves, and I hope to supply such information as will bring His Majesty's Govern-

ment to a very different conclusion from that at which the Committee has arrived.

During the American Revolution, the Inhabitants of the Colonies were divided into two parties—those who adhered to the King, and those who joined the standard of revolt. The latter prevailed, and on the re-establishment of peace, the former having preserved their allegiance, sought refuge in the Colonies, which still remained faithful to the Crown. The greater number removed into the Canadas, then the Province of Quebec, and of these the majority settled in Upper Canada, which has been emphatically styled the Asylum of the Loyalists, who risked their lives in maintaining the unity of the British Empire.

The Provincial Corps, and one or two Regiments of the Line, were the first to ascend the St. Lawrence, and were stationed on its Banks, and in the District of Niagara. Soon after, the Colonists who had fled during hostilities with their families from the rebellious Provinces, were settled, by order of the Government, round Kingston, and in the Lower Districts.

Besides these, many, who had been most active during the contest, but who were at first inclined, from family connexions, property, and other causes, to remain under the new Government, found themselves so greatly harrassed by jealousies and suspicions, that they were forced to remove to the British Provinces.

To these were gradually added many thousands, who had not taken up arms, but who continued strongly attached in their hearts to the British Government

and institutions, and could not endure to become subjects of the United States. These having made inquiry whether they would be kindly received in the loyal Colonies, settled their affairs, and came in at their convenience.

These different classes, with their friends and connexions, continued for many years, as circumstances permitted, to withdraw from the United States into the Canadas, and the British Government appreciating their loyal motives gave them an affectionate reception.

In proportion as the Government was anxious to receive with attention those who had given manifest proofs of their loyalty and attachment to the British Constitution, so was it careful not to encourage a promiscuous Emigration from the United States, and every precaution was taken to admit such only as were from principle friendly to the unity of the Empire.

When therefore the Colony of Quebec was divided into two Provinces, the Inhabitants of Upper Canada were, to a man, of tried and approved loyalty.

The same care was taken after it became a distinct Province. The merit of declared loyalty and adherence to the unity of the Empire was required of every Settler, and none were encouraged but those whose morals, industry, and attachment to the British Government entitled them to protection.

To testify more clearly His Majesty's approbation of such as had proved themselves faithful in the day

of trouble, He was graciously pleased to direct that a special mark of honour should be put upon those families, who had adhered to the unity of the Empire, and had joined the Royal Standard in America, before the treaty of separation in 1783, and for that purpose it was ordered that a Registry of their names should be made, and preserved in the Archives of the Province, to the end that their posterity might be distinguished from future settlers in the Parish Registers, and Rolls of the Militia of the respective Districts, and other public remembrancers of the Colony, as incitements to their perseverance in the fidelity and conduct so honourable to their Ancestors for special benefits and privileges.—In accordance with this, a Farm of 200 Acres of Land was granted to each of their children, male and female, so soon as they reached the age of twenty-one years.

Thus a distinction was made between that class of persons, who were attached to and fought in support of British Sovereignty, and those, who from want of energy, and other causes, though friendly, did not actually rise in its defence.

The former might come into the Province, and on proving to the local Government that they were loyal, Lands were assigned them on easy terms, but on those who joined the British Army, in order to put down rebellion, peculiar marks of grace and favour were conferred.

As no encouragement was ever given on the part of Government to Americans, other than Loyalists, to come into the Province, it is fair to conclude, that

they are, with Emigrants from the United Kingdom, the only class who deserve the particular attention of Government.

Moreover, a portion of our Inhabitants, by no means inconsiderable, are Emigrants from Great Britain and Ireland, who came into the Province at a very early period, and they came in the confidence, that in removing to Upper Canada they were merely changing their place of abode, but neither their laws, liberties, nor religion.

Such was the population, when the Constitutional Act of 1791 was passed,—a population of the most decided loyalty, and sincerely attached to Great Britain, and such it continued I may say even without exception up to 1798.

It is true that thousands have found it their interest to come into the Province, since that time, who have no attachment to our Civil and Religious Institutions; but they were never invited, nor was there ever any feeling in their favour manifested by the Government.

It is not indeed contended that a rigorous investigation was always had. Many sought the Colony through family connexion—cheapness of Land—easiness of settlement, and a spirit of enterprize; and many fled from the Laws of the United States, which they had offended. Persons of this description continued to come into the Province from 1798 to 1812, in a stream more or less rapid, but they never obtained Lands from the Government, or any direct countenance. They might, and did, obtain property

by purchase, and a few perhaps imposed upon the local authorities, but no persons except Loyalists were ever invited or recognized as worthy of becoming permanent Settlers.

Of American Citizens coming individually, and purchasing Lands and settling upon them at their own peril, the local Government could take no notice, unless upon regular complaint, which was not likely to be made, while they remained quiet and peaceable, and while the intercourse between the two nations continued friendly.

But since all those, who are not American Loyalists, or strongly attached to the Parent State, have come into the Province with a full knowledge, that we were living under the British Constitution, and that our Establishments, Civil and Religious, are modelled upon that admirable fabric, it is reasonable to assume that they were prepared to acquiesce in these institutions, and entertained no design of overturning them. If the first, which we are disposed to admit as the most probable, then they have no claim to have any of our Institutions changed, because they may prefer others, which are not congenial to our form of Government. Still less are they entitled to attention, if they came into this Province with the secret determination to overturn our Constitution, both in Church and State. It is not however to be concealed that many of those persons, whatever their intention may have been, when they first removed into this Province, are now desirous of destroying it as a British Colony,

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and of annexing it to the United States; and unfortunately they have acquired no little strength, both in talents and numbers, from Emigrants from the British Dominions in Europe, since the general peace in 1815.

Still the number of the discontented is comparatively insignificant, though like all minorities they are exceedingly clamorous and bustling, and to strangers may at first appear to be very formidable. But there are hundreds to one of them, who are honestly attached to Great Britain, and who feel themselves entitled to all the privileges of British Birth-right, and who came here in the full confidence of enjoying them. They did not, nor could they, suppose, that when they fled from rebellion, or left the shores of Great Britain, they left their birth-right behind them, or that in passing to a British Colony, they were depriving themselves of the privileges of the British Constitution.—Now these are the settlers who deserve the kind consideration of the Imperial Government; and indeed it must be confessed that till lately it was the policy of Great Britain to strengthen the political attachment of her Colonists, on Constitutional principles, and on no other. For it was justly considered that the Colonist who does not think himself identified, as it were, with the Inhabitants of the Parent State, and to possess the same rights and privileges, ought to Emigrate to some other country.

By the 31st Geo. 3d, Cap. 31, a regular form of Government was established for this loyal and attached population. It confers upon them all the ad-

vantages of the British Constitution—all the elements of civil liberty to as great an extent as was compatible with their enjoyment, or as had ever been possessed by any appendage of the Crown. In one respect, and in one only was there a distinction between the Constitution conferred on the Canadas, and those which had been given to former Colonies. Provision was made for the religious instruction of the people, for while Great Britain had been lavish in bestowing civil rights upon her Colonists, she had done nothing of a moral nature to attach them to her dominion.—Lands were granted—free constitutions conferred, and the power of making Laws, but little was done for Education, and nothing at all for Religion, and thus the principal bond of union was forgotten, or disregarded.

In this respect the policy of England differed from that of other European nations. They were particularly careful in providing for the religious instruction of their Colonists, and from their first Emigration provision for this, the most important of all objects, kept pace with their growth. The American Colonies of France, Spain, and Portugal, possessed the same religious establishments with the Parent States, the same gradation of ranks among the Clergy, and still more abundant means of support.

The consequence was, as might have been anticipated, a greater tranquillity among themselves and a more devoted attachment to their Paternal Governments—and had it not been for the revolt of the British Colonies, and the consequent convulsions in Europe, there

is reason to believe that they would still have continued faithful.

In the British American Settlements, on the other hand, no attention was paid by Government to the religious instruction of the people. They were left entirely to themselves, and but for the kindness of the Society for the Propagation of the Gospel in Foreign Parts, hardly one Episcopal Clergyman would have been found in British North America.

It must indeed, Sir, be confessed, that the want of religious instruction is in some measure an evil incidental to new Settlements—but no efforts ought to be spared to supply a remedy for an evil, which is pregnant with the most serious mischief. The Parent State should not hesitate to provide an adequate number of Clergymen and Churches for all her Colonies. This ought to be one of the first objects of every Christian Government, for if men have not the means of being good Christians, how can it be expected that they will be good Subjects.—There is something both incongruous and revolting in expecting men to perform their duty to their King, when a perfect indifference is shewn to the performance of their duty to God.

Of all denominations, the Church of England was the most destitute in the Colonies, and laboured under the most serious difficulties, for Parents were unable to bring up their children to the sacred profession, as they could not be Ordained without going to Europe, a voyage at that time both dangerous and expensive.

The effect of this was, that Emigrants belonging to the Established Church, who settled in America, not having access to their own religious ministrations, became frequently Dissenters, and when the Colonies (now the United States) rebelled, there was not, among a population of nearly three millions, a single Prelate, and but a very few Episcopal Clergymen.

The folly of this policy was shewn in the strongest light during the rebellion. Almost all the Episcopal Clergy, and their Congregations remained loyal and faithful to the King—thus demonstrating by their conduct, that had proper care been taken to promote a religious establishment in connexion with that of England, the revolution would not have taken place.

So very sensible were the General and Provincial Congresses of this, that they availed themselves of the Congregational, and other Dissenting Ministers in fomenting discontent and rebellion, as appears from the following Letter, addressed on the 6th December, 1775, by the Committee of the Congress of Massachusetts to the several Ministers of the Gospel within their bounds :—

“ **REVEREND SIR,**

“ We cannot but acknowledge the goodness of “ Heaven in constantly supplying us with Preachers “ of the Gospel, whose concern has been the tempo- “ ral and spiritual happiness of this people. In a day “ like this, when all the Friends of Civil and Religious “ liberty are exerting themselves to deliver this coun- “ try from its present calamities, we cannot but place

"great hopes in an order of men, who have ever distinguished themselves in their country's cause, and do therefore recommend to the Ministers of the Gospel in the several Towns and other places in this Colony, that they assist us in avoiding that dreadful slavery with which we are now threatened."—Gordon's American Revolution, Vol. 1st, p. 272.

The Historian who inserts this Letter, after dwelling upon the exertions of the Dissenting Clergy in cherishing and promoting the American Rebellion, concludes: "Thus by their labours in the Pulpit, and by furnishing the prints w th occasional essays, the Ministers have forwarded, and strengthened, and that not a little, the opposition to the exercise of that Parliamentary claim of right to bind the Colonies in all cases whatever."

The same writer stigmatizes the Clergymen of the Church of England as Tories and enemies of the people, because they spoke peace and abstained from politics in the Pulpit.

Convinced by History as well as experience of the pernicious effects of the unchristian policy, which Great Britain had exercised towards her Colonies in regard to religion, and sensible that they ought to be attached to the Parent State by spiritual as well as political feelings, Mr. Pitt determined on forming a Constitution for the Canadas, to provide for the religious instruction of the people, and to lay the foundation of an Ecclesiastical Establishment, which should increase with the ~~settler~~

This enlightened Statesman, keeping in mind that by the Law of England the Church is an integral part of the State, and being well aware of the advantage, which the people at large derive from this union was solicitous to extend to the Canadas the blessings of a Constitution, assimilated as much as possible to that of the Mother Country. Agreeable to this view, the Canada Act of 1791 in as far as religion is concerned rests upon the broad principle that the Inhabitants consisted of two classes, Roman Catholics and Protestants—the former attached to the See of Rome—the latter to the Church of England. This distinction is maintained through the whole Act, and is the only principle which explains and renders consistent its various provisions. To the Roman Catholics it confirms their religious privileges as they had been recognized in the Act of 1774, and for the Protestants it creates a religious establishment similar to that of England.

By the 14th of Geo. 3rd, the Roman Catholics had been secured in the free exercise of their religion, and their Clergy were permitted to hold and to receive their accustomed dues and rights with respect to such persons only as should profess the said Religion. And that the Protestant part of the Population might not appear to be entirely forgotten, it was provided in the same Statute, that it should be lawful for His Majesty, His Heirs and Successors, to make such provision out of the rest of the said accustomed dues and rights for the encouragement of the Protestant Religion, and for the maintenance and support of

a Protestant Clergy," within the said Province, as he or they should from time to time think necessary or expedient. These enactments established the Roman Catholic Religion in Lower Canada, but in as far as they applied to the Protestants, they were wholly inefficient. They nevertheless proceed upon the principle of recognizing two distinct denominations of Christians, and two only. This principle is followed up in Mr. Pitt's Bill, by re-enacting and confirming what had been granted to the Roman Catholics in the Act of 1774, and adding such things to the provisions in favour of the Protestants, as should render their establishment likewise substantial.

The little attention paid to the religious instruction of the Protestants in the 14th of the King might arise from the smallness of their number at that time in the Province. But in the interval which elapsed between that period, and the 31st of the same Reign, a considerable population had become resident; and although this population doubtless comprehended various sects of Protestants, no trace it is believed can be found of any measure of the Government extending to any of them, save to the Church of England, a maintenance for their Clergy in any shape at the public charge, or professing to confer upon them any thing more than a free toleration of their worship, and an equal enjoyment of every civil right and privilege. Nor does it appear that any member of the Church of Scotland, resident in the Provinces indulged an expectation, or that the Rulers of that Church ever preferred a claim that she should be

recognized as an Established Church in this Colony more than in the other Foreign dominions of His Majesty, within which it is conceived, the Church of England alone enjoys the advantages of an Establishment, according to the express provisions of the articles of union.

That this was Mr. Pitt's view of the subject in 1791 is quite manifest from the Provisions of the Act—He is legislating for two Churches, and two only—the Church of Rome, and the Church of England. The former he confirms in her rights and privileges, and then he adopts such measures as shall enable His Majesty to make a permanent provision for the other.—In pursuance of this intention it is directed that, in respect to the land in these Provinces (the Canadas) which had been granted by His Majesty, or might hereafter be granted, a reservation of other lands should be made, equal in value to the seventh part of the lands so granted, to form an allotment and appropriation for the support and maintenance of a Protestant Clergy within the said Province.

From the very nature of this Provision, and making it intimately connected with the title to all other lands in the two Colonies, it is evident that a general purpose was contemplated—that only two Churches, as comprehending the two great classes of the people could be intended, and that had not an Established Protestant Church, as a counterpoise to that of the Roman Catholic, been the object, no such provision would have been thought necessary.

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Indeed such a provision, had it been intended to be divided among all sects, would have been offering a premium for religious division, instead of promoting unity and concord, and would have been found in its application altogether impracticable. That the Church of England, and no other Protestant Church, was intended is likewise manifest from the Royal Instructions to the Governors of the Canadas, which are recognized, and in part recited in the 31st, Geo. 3rd, Chap. 31. in which it is expressly declared, that the powers and privileges of an Established Church, belong only to the Church of England. Besides in the clauses which follow those making the reservation, provisions are made for the regulation, support and endowment of the Church of England, and they give power to the King's Representative to that effect, but furnish no powers whatever for any other Ecclesiastical purposes, or appropriations, nor intimate in the most remote manner any benefit to be extended to the Church of Scotland, nor even mention or notice the existence of that Church.

That no other Church Protestant, but that of England, was contemplated further appears from the erection of the two Provinces into a Bishop's See, and constituting it part of the Metropolitan Province of Canterbury, with which its Bishop is connected in the same manner as any Bishop within that Province in England. His Majesty's Government has also confirmed the character of an Establishment to the Church of England, by a series of public Acts of permanent effect, such as the foundation in all perpetuity

of a Cathedral Church—the erection of Parishes—the division of the Diocese into Archdeaconries—and the formation of Corporations of the Clergy of that Church for the management of the said Reserves by an Instrument under the Great Seal of the respective Provinces, the draught of which had been previously referred for the sanction of His Majesty's Government, which it accordingly received.

Instructions were sent to the Colonial Governments respecting the Reserves immediately after the passing of the 31st of Geo. 3rd, Chap 31. with directions to devise some permanent scheme for leasing and making them productive, and when such scheme was matured, it was ordered to be communicated to the Bishop of Quebec for his Lordships concurrence and approbation.

The Executive Council of the Province of Upper Canada, in their Report on the subject express no doubt as to the meaning of the words, a Protestant Clergy, as appears from the following extract:—"It is of great importance that the Constitution in Church and State should be so interwoven with the whole social system in Upper Canada, as to engage men's interests as well as their feelings in its support, and make it in popular and daily estimation, no less essential to the security of property than to the preservation of religion, and maintenance of good order."

The same Report, alluding to the custom of leasing Church Lands in England³ argues against the expediency of fines as being pernicious both to Land-

lord and Tenant, and recommends a different mode of proceeding. In all the minutes of the Executive Council, which refer to the Reserves, no doubt is ever expressed as to what Church they were intended to support, and this acquires additional force from the fact that General Simcoe, the first Lieutenant Governor, was a Member of Parliament, at the passing of the 31st of Geo. 3, Cap. 31, and took an active part in the discussions, and must have therefore been fully aware of the intentions of the Government in adopting a measure, which it became his duty to put in force.—But so far is he from shewing any hesitation, that all his measures proceeded on the conviction, that the Church of England, and no other Protestant Church, was meant to be supported and maintained by the Reserves.

Long before the passing of the 31st Geo. 3rd, Cap. 31, making provision for a Protestant Clergy, reservations were from time to time made, by order of the different Governors, for the support of Religion, which were invariably assigned to the Church of England. Even the people themselves never contemplated the support of any other Church, as is manifest from the Quebec Papers, collected and Edited by the late Baron Maseres, in which much is said about Civil and Religious Liberty, and against the establishment of the Roman Catholic Religion in Lower Canada, but no Protestant Church, except that of England, is ever mentioned as deserving of support, and that Church is recommended to be established, and a Bishop appointed to reside at Quebec.

That the Church of England is the Established Church of Upper Canada, and the only Protestant Church contemplated in the 31st Geo. 3rd, Cap. 31, is fully admitted by the Provincial Laws, which have from time to time been enacted. The last clause of the very first Law in the Statute Book provides, that nothing in this Act contained, shall vary or interfere with any of the subsisting provisions, respecting Ecclesiastical rights or dues within the Province.

In the second Session of the first Provincial Parliament, it is enacted, that as soon as there shall be any Church built for the performance of Divine Service, according to the use of the Church of England, with a Parson or Minister duly appointed thereto—then the Inhabitant Householders shall choose and nominate one person, and the said Parson or Minister shall nominate one other person, which persons shall jointly serve the Office of Church-warden or Church-wardens, and their Successors, duly appointed, shall be as a Corporation to represent the whole inhabitants of the Township or Parish, and as such, may have a Property in Goods or Chattels, of, or belonging to, the said Parish, and may sue, prosecute and defend in all presentments, indictments or actions for and on the behalf of the inhabitants of the said Parish.—Here the same power is conferred upon the Clergyman of any Township or Parish, as in England, and like powers are conferred upon the Church-wardens. There is the assent of the Legislature to the Church, as by Law established, and a voluntary extension of its rights and privileges beyond

what it could receive by the operation of the Laws of England in force in this Province, or from the prerogative of the Crown.

In the same Session a Law was passed, confirming and making valid irregular marriages, and the reason of this irregularity assigned in the Preamble, is that there was no Protestant Parson or Minister duly Ordained, residing in any part of the Province, nor any Consecrated Protestant Church or Chapel. The Act proceeds in the third clause to say, that until there be five Parsons or Ministers of the Church of England residing in their respective Parishes in any one District, Magistrates may perform the ceremony of marriage, on certain conditions, provided the parties do not reside within eighteen miles of any Parson or Minister of the Church of England. The Act proceeds to enact that the Magistrates shall solemnize the marriage according to the form prescribed by the Church of England, and that when five Parsons or Ministers of the Church of England shall be doing duty in their respective Parishes in the same District, the Act provides that the power given to the Magistrates to solemnize marriage shall cease. In the whole of this Act, the Legislature evidently kept the Church of England continually in view, and confined the power, necessarily given for a time to the Magistrates to the period when the Established Church would be sufficiently spread over the Province to render it unnecessary.

In the third Session of the second Parliament, a Law was passed, giving power under certain con-

ditions and restrictions, to the Ministers of the Church of Scotland, Lutherans and Calvinists to perform the ceremony of marriage between persons belonging to their respective Congregations. From this it appears that the Legislature so far from considering the Church of Scotland as entitled to the privileges of an establishment, place her on the same level with other denominations, and class her with the Lutheran and Calvinist Churches.

It is scarcely necessary to follow up this inquiry by a reference to the many attempts made to extend the power of celebrating marriage to all denominations, and the total silence in all these proceedings respecting the Church of England. Being established by the fundamental Laws of the Empire—the Constitutional Act, and the King's Prerogative, it requires no Legislative assistance from the Colony.

Without noticing any other Act therefore, I proceed to the Law relative to Tythes in this Province, which passed a very few years ago.

The Preamble states, that whereas His Majesty has been graciously pleased to reserve for the support of a Protestant Clergy in this Province, one-seventh of all Lands granted therein, doubts have been suggested, that the tythe of the produce of Land might still be legally demanded by the Incumbent duly constituted, or Rector of any Parish, which doubt it is important to the well-doing of the Colony to remove. It is evident this Preamble implies the regular Establishment of the Church of England within the

Province, otherwise it would be worse than nonsense. No Protestant Church could claim tythes but the Church of England. To no other Protestant Church is the language here used applicable. The words, "duly instituted," and "Rector," are used by no other Church. Who ever dreamed of Presbyterians, or any other Protestant denomination claiming tythes? No member of the Legislature will assert, that he had any other purpose in giving his vote, than that of excluding the Clergy of the Church of England, in this Province, from tythes forever.

But the enacting clause is, if possible, still stronger. "Be it enacted, &c. That no tythes shall be claimed, "demanded or received, by any Ecclesiastical Parson, "Rector or Vicar of the Protestant Church within "this Province, any law, custom or usage to the contrary notwithstanding."

Here again the language used is that belonging to the Church of England, for there is no other denomination of Protestants in the Province, to whose Religious Teachers, the words "Parson, Rector and Vicar" are applicable. But, beyond all this, the Tythes are given to the Ministers, not of *a* Protestant Church, but of *the* Protestant Church within this Province—by which expression, and the change of the indefinite *a* into the definite *the*, the Establishment of the Church of England is completely recognized and defined, with an accuracy not even found in the 1st of Elizabeth, which establishes the Church in England.

Now although the Church of England is established in all the Colonies independent of local authorities, it is yet pleasant to find the Legislature in its deliberate acts recognizing our Church as the only Ecclesiastical Establishment in the Province.

To have imposed tithes for the support of the Protestant Clergy in the Canadas, would have been altogether inexpedient, and was never looked for nor desired. Yet in Upper Canada, which is by far the most considerable portion of the Diocese of Quebec, the possibility of claiming them was alarming, and therefore it was wise to set the matter at rest by a special enactment. This places in a striking point of view both the conviction which existed of the exclusive property of the Church of England in the Clergy Reserves, and the injustice of depriving her of that Provision.

The doubt as to the right of tithes thus settled was entertained only by a very few persons, for the greater number considered the Clergy Reserves to have been given in lieu of tithes. Nevertheless as the terms of the Statute of 31. Geo. 3rd, Chap. 31, are exceedingly comprehensive, and the power conferred upon every Rector of a parish, when duly inducted, so complete in bestowing upon him all rights, profits and emoluments, belonging to the said Rectory as fully and amply as the Rector or Incumbent of a Parsonage and Rectory in England, it was prudent to remove even the shadow of doubt, and the Clergy were no less willing to do so than the Members of the Le-

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gislature. In truth the question of tithes was not agitated by the adherents of the Church, for they disclaimed all right to such an exaction, but by her enemies, because they believed her to be the Established Church of the Country.

As this Act referred to matters of an ecclesiastical nature, it was rendered necessary by the 42nd clause of the 31st of Geo. 3rd, Cap. 31, that it should be reserved for His Majesty's pleasure, and that before the Royal Assent could be given, it should be laid before both Houses of Parliament in order that either House might within thirty days address His Majesty on the subject. Having passed through this process it became a Law of the Province in February 1823.

After all possibility of maintaining a claim to tythes had been thus precluded by an Act passed in the Colony, and solemnly assented to by His Majesty, under the implied sanction of both Houses of the Imperial Parliament, to whose deliberate consideration it was formally and necessarily subjected—I cannot conceive, Sir, with what shew of reason the concurrence of Parliament can be expected in any measure for destroying or even diminishing that provision which by the same Act is expressly declared to have been made for the Protestant Church—which was the free gift of the King—a provision conferred by the authority of His Parliament—which imposes no burden upon any one—and detracts nothing from the means of those who desire to contribute to the support of any other form of worship—and the existence of which is in terms recited as the reason for extinguishing all right to tithes.

Nevertheless, in the very same year that this Act was passed, a claim was advanced in the Legislature of Upper Canada in behalf of the Church of Scotland to participate in the Reserves, although no allusion is made in any one clause of the 31st of Geo. 3rd, Chap. 31, making the appropriation to any other than the Church of England.

In referring to the Act of Union it is evident that it bears not in the smallest degree on the subject.—This Law gives no power whatever to the Church of Scotland, and promises her no recognition or assistance directly or indirectly beyond the limits of that ancient Kingdom. It is true she is not excluded from any aid that Parliament may see fit in after times to give, but she has no right of claim in virtue of the Union, which establishes the Church of Scotland in Scotland, and no where else.

Very different are the provisions of the same Act as it respects the Church of England, which it distinctly establishes in South Britain, and in all the dominions and territories thereunto belonging.

Till within a very few years not a whisper was heard against the Clergy Reserves. Something was indeed said against them, as well as the Crown Reserves, in the year 1817 as being too exclusive, and again in 1819, when a law was passed taxing lands for the construction of roads. It was contended that the Reserves, whether Crown or Clergy, on the principal roads ought to pay the assessment, because they obstructed improvements or interrupted communications. There was some reason for this, but to

divide the Clergy Reserves among all Sects, or to divert them from their original destination, was not yet imagined. On the contrary, most persons at that period (that is ten years ago) considered the provision wise, and since no Quit Rent is exacted in the Canadas, as in other Colonies, they thought that the trifling obstruction produced by the Clergy Reserves ought to be cheerfully borne.

It was not till the tithe bill had become a law that the House of Assembly seriously took up the question of the Clergy Reserves. The friends of the Church of Scotland did indeed speak of the claim of their Ministers in 1822, at that time only four in number, to a share of the Reserves but with no effect—the claim was considered idle, and to proceed from a disappointment which they were said to have met with in an application to Government for Salaries to their Ministers.

Failing in the Province it was understood that Representations had been made to His Majesty's Government and the General Assembly of the Church of Scotland by the Scotch Ministers of both Provinces, only at that time seven in number, claiming a share of the Reserves as a Branch of one of the national Churches, and supporting their claim under a supposed ambiguity in the expression "a Protestant Clergy." A counter representation was drawn up by the Bishop of Quebec and his Clergy, but it was I believe never presented.

There appeared to them no reason to believe that the claim of the Scotch Clergy would be for a moment entertained by the Imperial Government when they considered the Acts and instructions of His Majesty

which preceded the Act of 1791—the plain intent and express provisions of the Act itself—the reasoning with which it was introduced and by which it was supported—the enactments of the Legislature of Upper Canada—the uniform acquiescence of the Clergy of all denominations for a period of more than thirty years, and the apparent unconsciousness of any claim on the part of the Church of Scotland, seemed all to lead irresistibly to the conclusion that the Church of England which had thus, beyond all question, been introduced into the Province, was understood to form, and did form, the only religion of the State. This is indeed the only conclusion that can be reconciled with the express terms of the Act of Union between England and Scotland—with the national policy that prevails in the three kingdoms, and in no one of them more decidedly than in Scotland—with the system maintained in every Colony of His Majesty, whether acquired before or since the Act of Union, and in some Colonies which have been acquired long since the Provinces of Canada.

Now it has been seen that in Upper Canada, which contains, and it is conceived ever must contain, by far the greater portion of the Protestant population of the two Provinces, the Church of England has been recognised as the Established Church by several Acts of the Legislature: while on the other hand it is equally manifest from the same Acts that the Church of Scotland is not considered to form a second Establishment, or to stand in any other footing than in the other dominions of His Majesty, out of Scotland.

In the Sessions of the Provincial Legislature of 1823, and 4, an application in favor of the Scotch Clergy met with some countenance from the House of Assembly—for now the question of tithes was at rest—and an Address to His Majesty was adopted, stating that, if in the legal construction of the 31st of Geo. 3rd, Cap. 31, it is considered that no provision for the Clergy of the Church of Scotland was contemplated thereby, they would most earnestly and respectfully express to His Majesty their hope that He would be graciously pleased to extend to them His Royal protection and consideration, by directing such provision to be made for their maintenance and support as to His Majesty may appear proper. This address having arrived in London about the time that a similar one was presented by the General Assembly, had doubtless, with other representations, great weight in inducing His Majesty's Government to favor the Clergy of the Church of Scotland serving in Upper Canada, and accordingly, an appropriation of a certain sum of money was made in aid of their support.

Sir, the disposition to countenance the claims of the Scotch Clergy by the Commons House of Assembly was of short continuance, for in 1826 that body addressed the King to divide the money derived from the sale of the Clergy Reserves, among all denominations; or if such application or distribution should be deemed inexpedient, that the proceeds or profits arising from such appropriation should be applied to the purposes of Education, and the general improvement of the Province. A similar address had been adopted by

the House of Assembly in Lower Canada, which is composed almost exclusively of Roman Catholics.—In the one Province the Assembly wished to destroy all Ecclesiastical Establishments whatever, and in the other, to destroy what they are taught to consider a rival Establishment.

In regard to the purposes of Education, for which a share of the produce of the Reserves is desired, it so happens that in Upper Canada the property of the Church is not required for the instruction of Youth.—An appropriation of rather more than half a million of Acres of Land has already been made by His Majesty's Government, for the purposes of Education, which, with the assistance given by the Legislature of the Province, is deemed sufficient to endow the University and to aid Grammar Schools in such a way as in time to make the system of instruction throughout the Province as general and efficient as in any other part of the world.

In the mean time these Lands, about which so much clamor had been raised, yielded little or no revenue. His Majesty's Government was therefore advised to sell a portion of them in order to furnish means for the support of such a number of Protestant Clergy as the Provinces of Canada might require.—In consequence of this an attempt was made to dispose of a large portion of them to the Canada Land Company, at three and sixpence per Acre, a price fixed by Commissioners, but to this price, in the settling of which they had no voice, the Clergy expressed unwillingness to acquiesce, and the matter was

dropped. As, however, a limited sale was desirable a Bill was brought into Parliament in the Session of 1827 by the Under Secretary of State, Mr. Horton, which after much interruption, and some modification, passed into a Law, authorising the sale of one fourth of the Clergy Reserves—the proceeds to be placed in the Public Funds, and the interest only to be expended by the Government agreeably to the provisions of the 31st of Geo. 3rd, Chap. 31.

On the 14th of May the clauses of the Bill came into discussion, and some opposition was made by Mr. Hume, and two or three Scotch Members, and assertions hazarded respecting the state of the Churches in Canada which the Under Secretary was not prepared to answer. Having urged the propriety of the measure I was called upon for information, and I furnished it with a sincere conviction of its accuracy, in the form of a letter addressed to Mr. Horton.

It ought to be borne in mind that the facts were given from memory, that they were called for suddenly in reply to attacks made on the Church of England for which I could not have been prepared.—Being thus given for a public purpose they were given in that public manner that there could be no danger of any error escaping detection. For my opinions I am responsible to no one—I had no desire to conceal them, and they were therefore publicly and openly expressed.

Soon after my return to the Province of Upper Canada from England, a copy of my letter to the Under Secretary of State, Mr. Horton, which had been printed

by order of the House of Commons, found its way into the newspapers of both the Canadas. As it refuted the statements which had been sent from the Provinces, in favor of the Scotch Presbyterians, and which had been communicated with so much confidence by Dr. Lee to His Majesty's Government and Scotch Members of Parliament, its publication gave great offence to the Scotch claimants, and was followed by a torrent of abuse.

For reasons, which it is needless to mention, it was impossible for me to reply to such unchristian attacks, nor did I feel myself called upon to notice anonymous slanderers who support themselves by the dissemination of calumny and falsehood—but some questions having been put to me, in my place in the Legislative Council by several Honorable Members, respecting

Clergy Reserves, I embraced the opportunity in giving them of vindicating my good name, and my unsullied reputation, which as a Father of a family and a Christian Minister, I dearly value, in the only way within my reach or becoming my station in the Colony. My speech on this occasion was published, to which a new Ecclesiastical Chart, compiled from actual returns from the Clergy of the Province, was appended, and in which the few trifling errors which had crept into the one which had been presented to the House of Commons were corrected. In the opinion of all unprejudiced persons this speech completely refuted the calumnies of my enemies, and proved that so far from exaggerating the strength and numbers of

the Established Church I had come far short of the truth—my first Chart, given to Mr. Horton in May 1827, assigned to the Established Church in Upper Canada only thirty Clergymen, fifty-eight Stations, and thirty-five Churches; whereas the Chart in 1828, only one year after, and compiled from regular information from the Clergy, gives thirty-nine Clergymen, one hundred and two Stations, and forty-three Churches—shewing an increase of nine Clergymen, forty-four Stations, and eight Churches. This increase had happened during my absence in England, but was unknown to me when I was called upon for information.

This Chart I delivered as part of my evidence to a Select Committee appointed by the House of Assembly to inquire into the Religious state of the Province, who had the means in their hands of immediately detecting inaccuracies, had there been any.

Such is the history of the Clergy Reserves up to the appointment of the Select Committee of the House of Commons on the Civil Government of Canada, over which you were chosen to preside, which extended its inquiries to the state of these allotments and the dispute which they had recently occasioned. The conclusions to which this body has arrived concerning the Reserves are now to be examined, and that I may not be accused of mis-quotation, the whole of what they say on the subject is annexed in the appendix.

“Your Committee entertain no doubt that the reservation of these lands in mortmain is a serious obstacle to the improvement of the Colony. They

"think every proper exertion should be made to place
 "them in the hands of persons who will perform on
 "them the duties of Settlement—and bring them gra-
 "dually into cultivation"—Page 10. "Judging indeed
 "from all the information the Committee could obtain
 "on this subject they entertain no doubt that these
 "Reserved Lands, as they are at present distributed
 "over the country, retard more than any other circum-
 "stance the improvement of the Colony, lying, as they
 "do, in detached portions in each Township, and in-
 "tervening between the occupations of actual settlers
 "who have no means of cutting roads through the
 "woods and morasses which thus separate them from
 "their neighbours"—Page 9. Again, "The allotment
 "of these portions of reserved wilderness has in fact
 "done much more to diminish the value of the six
 "parts granted to settlers than the improvement of
 "their allotments has done to increase the value of
 "the Reserves. This we think must be apparent from
 "the results of the attempts which have been made
 "to dispose of these lands."

It is in these paragraphs, too hastily assumed, that the Reserves are a serious obstacle to the improvement of the Colony—that they are so to a certain extent must be admitted, but far less, as will be proved by the following remarks, than has been commonly imagined.

1st. The proportion of Clergy Reserves under lease and settlement is to the whole number of Reserves nearly in the ratio of the settled lots to all the lots granted in the Province.

It appears from the Surveyor General's books that in 1826 about fourteen millions of acres had been surveyed and, with the exception of the Reserves, actually granted. Now fourteen millions of acres contain seventy thousand allotments of two hundred acres each, of which ten thousand are reserved for a Protestant Clergy. It farther appears from the Surveyor General's returns, that of these Reserves one thousand five hundred and thirty two are actually settled and under lease, or nearly one sixth of the whole number. Now on referring to the returns made under the assessment law for 1827 the number of acres of cultivated and uncultivated lands belonging to persons actually residing in the Province, amounts to 3,105,380 acres, or 15,527 allotments of 200 acres each, the remaining allotments, excluding the Clergy Reserves, nearly 45,000, belong chiefly to absentees and still continue in a state of nature. Thus taking the whole Province together about three out of four lots remain unoccupied. Here we behold a far greater obstacle to improvement than that which the Clergy Reserves can furnish, although the latter has been blamed for the whole evil.

In some of the Districts more than one fourth of the Clergy Reserves are under lease. Thus in the Eastern District there are 605 Clergy Reserves, and 103, or one-sixth, are under Lease. In the Johnstown District there are 844 Clergy Reserves, of which 235 are under Lease, or more than one-fourth. The same proportion holds in the Midland District. In the Newcastle and Home Districts the proportion is about one-sixth. There are only 22 Reserves in the

Niagara District, of which 10 are under Lease. In the other five Districts the proportion is less: but taking the whole Province together, including both the Crown and Clergy Reserves, it appears, from the best information that can be obtained, that five out of six lots remain unsettled—and taking the Clergy Reserves separately, the proportion is nearly five out of six.—It is true so far as the Reserves are an obstacle of settlement, that obstacle is not lessened because there are other and greater obstacles; but it is something to know that instead of bearing the whole burthen, as the Clergy Reserves have hitherto done, they ought only to bear one-fifth—the other four-fifths must in future be borne by Absentees and the Crown Reserves.—Nor is it less satisfactory to know that they are now rapidly taken up in the older Townships. The expression about woods and morasses may be very poetical, and like all poetry, exaggerates the subject—but it will only excite laughter in the Colony where the trifling amount of this obstacle, taken singly, is known and generally admitted.

That the same reasoning nearly applies to that portion of Lower Canada which has been granted since 1791, and contains Clergy Reserves, is manifest from the admission of the Committee of the House of Commons, in their Report, in which it is stated that of 483,594 Acres of Clergy Reserves 75,639 are under Lease, being almost one-sixth of the whole.

2nd. Let us next examine the extent of the obstacle in the way of actual improvement which these Reserves present were they all to remain unsettled.

One of the conditions of settlement is, that every Settler shall clear half the breadth of the road along the front of his allotment. The roads are one chain, or 66 feet wide, and one mile of road measures exactly eight acres. Now the Settlers on this mile are obliged on account of the Reserves to clear two-sevenths of eight acres more than they would have to do were there no Reserves, or $2\frac{2}{7}$ acres. To perform this labor there are commonly twelve Settlers, who have each a lot of 100 acres, any of whom can clear an acre in eight days, some can do it in much less time; that is, the Reserves at the utmost cost each Settler two days work, or if their allotments are 200 acres each, the clearing for the Reserves will cost them nearly four days work each. Is this a serious or a frightful obstacle?—Is it an equivalent for the religious privileges which these Reserves are destined to provide?

But trifling as this impediment is, we have seen that it is very much diminished by the number of the Reserves under Lease, as the Lessee must clear his share of the road as well as the Grantee from the Crown. And it is almost entirely removed by the late Act of Parliament, which allows the sale of one-fourth of the Reserves, and the sale or exchange of any allotment that tends to obstruct any useful improvement.

There is something exceedingly ungrateful in the inhabitants of the Colony finding fault with the Clergy Reserves—they are one of the express conditions of every grant, and evidently made for the benefit of

the inhabitants and their posterity—it is as if we said to the King you have most graciously given us six-sevenths of your land, but why retain the remaining seventh—give us that also. In all other Colonies quit rents were reserved, but in the Canadas these were remitted on account of the supposed trouble arising from the Reserves, but were it proposed to the most clamorous to grant the Reserves to Settlers in the same way that the other lands are granted, and in lieu of them to impose a quit rent, their clamor against them would immediately cease, and it would be found that the Reserves, in comparison, are ten times more popular than a quit rent. Indeed in the course of thirty years so little was the obstacle of the Reserves appreciated, that till clamors were raised against the Church, not a murmur was heard against them, nor would they have been noticed now but for the purpose of pulling down the Establishment.

There are advantages attending these reserved allotments which much more than overbalance any temporary inconvenience that they may occasion.

1st. The benefit which an industrious family enjoys in having Reserves in the neighbourhood on which their children may be settled, without removing far from the Parent stock.

2nd. The very easy rents paid for these Reserves where Lands are no longer granted by Government, and where they become dear as in populous settlements.

3rd. The facility which they offer to Emigrants of settling in the midst of populous Townships, without being exposed to the hardships and privations of the Wilderness.

4th. Their convenience to many actual Settlers who wish to extend their labours beyond their first allotment, to which their small means at first confined them. For such the Reserves are admirably placed to enable them to enlarge the field of their exertions.

5th. The benefit of religious instruction to the rising generation—a benefit not confined to the Established Church, for it will provoke other denominations to greater exertions, and diffuse decency and order through the whole community.

These advantages will be found, on examination, to be of great value. When a Township, for example, is Surveyed, of twelve miles by nine, the whole is granted to settlers, except the Reserves, in parcels of from 100 to 1,200 Acres, according to the means, character and rank of the applicants. Suppose the Township to be taken up in a few weeks, or even days, which is frequently the case, and that the following year, or within a few months, the relations and friends of many of the settlers come to join them—there is not a foot of Land in the Township that has not been granted, and perhaps none vacant for many miles.—They are unwilling to be separated—for to join their friends and relatives was perhaps their chief inducement for leaving home. In this dilemma the Reserves offer a remedy,—many of them are still unoccupied, and upon them they settle, at a rate nearly as easy as if they had procured a Grant from the Crown.

Again, suppose many of the settlers to have rising families, it is natural for them to wish to settle their

children on Lands so near that they may be able to assist them. Much of this assistance consists in labor, provisions, and little services which cannot be performed at a distance, but which are not the less valuable and necessary. The eldest son takes a Reserve—his father and brothers assist him with their labor at all spare times—they return home perhaps every night—nor does the occupier of the Reserve leave his father's family till he has a good clearing, some stock and a good house, and means of providing for a family of his own. The same process takes place with the next son, or sons-in-law, till all the children are provided for. How much more wise and judicious this easy method of providing a fund for the general benefit, than charging the inhabitants with quit rents, which was the case in the old Colonies, and were a burthen on the lands forever.

These Reserves are condemned as if they were peculiar to the Canadas, but they are very common in the United States. In some of the Provinces 1-36 of all lands are reserved for Education alone, and various tracts for other public purposes, amounting in some to nearly as much as the Reserves in Upper Canada, but not so judiciously selected,—yet instead of being a subject of complaint in that country, they are a lasting theme of commendation. It must be acknowledged that no part of them are set apart for religious purposes, because there is no Established Religion, and if that be an advantage we must yield them its fruits in full.

It has been proposed to place the Reserves in a body in the rear of the Townships as being more convenient—but the reverse would be found on trial—they would become a complete barrier against the line of Townships behind, through which it would indeed be a serious difficulty to make roads, for all the benefit of dense neighbourhoods would be lost. In their present chequered state the burthen is light and equally distributed through the whole Province. The Committee proceeds to state that “the Act of “1791 directs that the profits arising from this source “(namely, the profits of the Clergy Reserves) shall “be applied to a Protestant Clergy—doubts have “arisen whether the Act requires the Government to “confine them to the use of the Church of England “only, or to allow the Church of Scotland to participate in them. The Law Officers of the Crown “have given an opinion in favor of the rights of the “Church of Scotland—to such participation in which, “your Committee entirely concur; but the question “has been raised, whether the Clergy of every de-“nomination of Christians except Roman Catholics “may not be included: it is not for your Committee “to express an opinion on the exact meaning which “the words of the Act legally convey. They enter-“tain no doubt, however, that the intention of those “persons who brought forward the measure in Par-“liament was to endow with Parsonage Houses and “Glebe Lands the Clergy of the Church of England, “at the discretion of the Local Government; but “with respect to the distribution of the proceeds of

“the reseved lands generally, they are of opinion
“that they ought to reserve to the Government the
“right to apply the money, if they so thought fit, to
“any Protestant Clergy.” “The Committee see
“little reason to hope that the annual income to be
“derived from this source is likely within any time
“to which they can look forward, to amount to a
“sufficient sum to provide for the Protestant Clergy
“of these Provinces; but they venture to press the
“early consideration of this subject on His Majesty’s
“Government, with a view to an adjustment that may
“be satisfactory to the Province, of the principle on
“which the proceeds from these lands are hereafter
“to be applied; and in deciding on the just and pru-
“dent application of these funds, the Government
“will necessarily be influenced by the state of the
“population, as to religious opinions at the period
“when the decision is to be taken.—At present it is
“certain that the adherents of the Church of England
“constitute but a small minority in the Province of
“Upper Canada. On the part of the Scotch Church,
“claims have been strongly urged, on account of its
“Establishment in the Empire, and from the number
“of its adherents in the Province. With regard to
“the other religious sects, the Committee have found
“much difficulty in ascertaining the exact numerical
“proportions which they bear one to the other; but
“the evidence has led them to believe, that neither
“the adherents of the Church of England, nor those
“of the Church of Scotland form the most numerous

"religious body within the Province of Upper Canada."

In this passage several particulars require ~~the examination~~—First—The opinion expressed of the fewness of the Church of England in Upper Canada.

This opinion must be grounded on the evidence presented to the Committee, and which appears to consist of Petitions from the Province of Upper Canada, and the testimony of Dr. Lee, the Reverend Mr. Leith, and Mr. Grant. How far this evidence warrants the sweeping conclusion, "that the adherents of the Church of England constitute but a small minority in the Province of Upper Canada," is to be examined.

In regard to the Address from the House of Assembly it will not be necessary to say much: It is the production of a Select Committee, appointed, as was notorious, to make out a case against the Church of England, and to which as an Establishment, not one of the five Members of which it was composed, will at this moment hesitate to avow his hostility.

The Committee began its inquiry with composing fourteen questions, and on these they examined between forty and fifty persons, taken I believe promiscuously from the Members of the Legislature, and inhabitants of York and its vicinity. These questions were so framed, as clearly to evince the leaning of the Committee. But I shall confine myself to the ninth question, which bears more particularly upon number:—"What proportion in your opinion do the

"Members of the Church of England in this Province bear to the whole population?" On this question forty-four persons were examined—

First.—Ten Methodists—eight Members and two Preachers. Six of the Members said the proportion was very small, but gave no definite answer. Of the other two, one said the proportion was one in twelve, —the other one in ten. The two Preachers without hesitation asserted that it was only one in a hundred. Assuming the population of the Province at 200,000, there are according to these two Preachers no more than 2,000 Episcopalians in Upper Canada: a number not exceeding what was proved before the same Committee to be residing in the very Parish in which they were sitting.

Second.—Two Baptist Preachers were examined, —the first declared the proportion to be one in a hundred,—the second, one in nineteen.

Third.—Six Presbyterians were examined,—two gave no decided opinion—one declared the proportion to be one-twelfth—another one-tenth—and a third one-ninth. The Sixth, a respectable Presbyterian Clergyman, though not of the Church of Scotland, considered the proportion one-sixth.

Fourth.—Five Roman Catholics were examined,—two gave no opinion—one said one-twenty-fifth—another one-twentieth, and a third one-thirteenth.

Fifth.—Sixteen Episcopalians were examined, of whom only two gave a definite answer, that the proportion was one-sixth.

Sixth.—In regard to one Quaker, and four whose religious denomination I could not make out—three gave no definite answer, and two, about one-fifteenth.

All that could be gathered from these various and conflicting opinions, was well expressed by one of the witnesses, who answered the question by saying—“I do not know, nor do I believe any one else, the exact proportion, that the Members of the Church of England bear to the whole population.”

Such is the amount of the evidence upon which the House of Assembly resolved that the number belonging to the Protestant Episcopal Church, bears a very small proportion to the number of other Christians.—That this opinion is incorrect must have appeared to the Committee had they been in search of truth, from the Religion of the witnesses called before them, for of forty-four persons promiscuously summoned, sixteen were of the Church of England, or more than one-third: and this I have very little doubt is very nearly the proportion which the Members of the Church of England, and those friendly to her worship, will be found to bear to the Inhabitants of the whole Province, with the exception of the County of Glengarry.

A very ludicrous circumstance attended this question of relative numbers. The Committee in a moment of exultation added a fifteenth query—“To what Church or denomination of Christians do you belong? but they suddenly stopped, when they found, that six out of nine declared themselves of the Church of England.

In as far, therefore, as the opinion of your Committee is supported by the address of the House of Assembly, it is erroneous, since the information before that body, and within their reach, ought to have led them to a very different conclusion.

The only correct information before them was a Chart of the Episcopal Church, compiled from returns from the Clergy, which I delivered as part of my evidence, but of which no notice was taken in their Report. There was indeed a general Chart, given in by a Member of the Methodist Church, which he stated to be correct, and which was formed as follows : " At a public meeting in York a Committee was appointed, called the Central Committee of Upper Canada, and directed to correspond with other parts of the Province to suggest the appointment of Committees, and to request, that they would carefully collect and transmit to the Central Committee at York accurate information respecting the number of persons belonging to the religious denominations in their neighbourhood. In consequence of this, communications were received from various parts of the Province, containing correct and full information on the subject, obtained from personal knowledge or inquiry, and authenticated by the signatures of respectable inhabitants. This information was pretty general with respect to the Methodists, and Baptists, and with regard to the others, the Committee in addition to the information obtained in this way, collected from all other sources, the most accurate information that could be got. The Chart was

"formed from the materials thus obtained, and presents in my opinion a very complete and fair view of the number of Ministers, and number of the different religious denominations in this Province."

As no objections have been made to this Chart, except by the Episcopalians, to whom its compilers made no application for information, and of whom it gives a most incorrect account, it is to be presumed that other denominations are satisfied with the statements which it makes.

From the abstract of the whole Chart, correcting the column for the Church of England, from the evidence given to the same Committee, we have the following,

TABLE.

TABLE,

DENOMINATIONS.	REMARKS.		
	Clergymen or Preachers.	Chaplains or Chapels.	Number of places of regular worship.
Methodists	45 Itinerant and 72 Local Preachers.	66	623
Baptist	45	3	6
Episcopalians	39	43	50
Presbyterians not of the Kirk of Scotland	16	22	
Kirk of Scotland	6	No Return.	No Return
Methodists and Dam- hards.	20	5	No Return.

From this Table it appears that in point of numbers the Methodists have the advantage: but it must be borne in mind, that they are spread over the whole face of the Province, and the Episcopalian have as yet been obliged to confine their places of worship and stations, to the more populous settlements, from their want of means to support a greater number of Missionaries. It is farther to be observed that many attend the Methodists, who will return to the Church the moment they can have access to her Ministrations, as their religious principles are nearly the same: nor ought it to pass unnoticed, that the rapid increase of the Methodists shews the tendency of the population towards the doctrines of the Church of England, to which that body still professes to belong.

It is therefore contended that from this Table the friends of the Church of England are far more numerous, than those of any other denomination, and are so far from being a minority in this Province, that no other denomination except the Methodists come near them in point of numbers.

In regard to Dr. Lee, and his associates, Mr. Grant, and the Rev. Mr. Leith, it is evident from their testimony, that their object is to exaggerate the number of the adherents of the Church of Scotland.

1st. By holding up the County of Glengary in the Eastern District as a fair specimen of the whole Province, although in no other County have they any comparative strength.

2nd. By placing the Presbyterians not belonging to the Church of Scotland in the foreground, and assuming them as part of their body.

3rd. By mixing up personal abuse with the question, and offering vague and rash assertion, in contradiction to matters of fact.

I might rest the relative numbers of the two denominations upon the Table given above, in which it will be seen, that the Presbyterians of all kinds, are by no means so numerous as the Episcopalians, and that those belonging to the Church of Scotland are not half as numerous as the Presbyterians beyond her pale: but it may be more satisfactory in the first place to ascertain the precise value of the evidence of these three Gentlemen.

They put much stress upon the Letter and Chart which I delivered to Mr. Horton in 1827, which they assert to be full of errors, and to exaggerate the number belonging to the Church of England: and that it does contain some trifling mistakes, I am ready to admit, but neither singly, nor taken together, do they bear with any weight upon the subject.

In June 1826 I had occasion to communicate with Lord Bathurst, respecting the few Scotch Clergy then in the Province, and mentioned their names and stations. Soon after, one of them died, and another returned to Scotland, where he obtained a Parish. During this period I had continued in London, and when called upon for information I stated these facts with which I had been made acquainted. It appears that about the time that I was giving this information, one of the vacancies had been filled up, and an application had been made to Scotland to fill up the other. On my return to the Colony in September,

1827, I learned that two additional Clergymen had come out. Now it is charged upon me as a crime that I was not endowed with the second sight to find out in London by whom the vacancies had been filled in Canada, and that two new appointments had been made.—The remaining inaccuracies in this Chart will not detain us long.

I mentioned Churches at Barton, Ancaster, Navy Point, New-market, Woolwich, and Purdy's Mills—all of which are called in question.

A good Congregation assembles in Barton Church every Sunday, where the Rev. R. Leeming, of the Church of England, is the only Minister who officiates, and I know of no other denomination that claims the Church.

At Ancaster a Church was built—not as Dr. Lee asserts, for Mr. Sheed, the Presbyterian Clergyman, but for all denominations—and like all such, it became a subject of contention,—at length the Episcopilians bought in the small portion they had not subscribed, and it now belongs exclusively to the Church of England.

At Navy Point it appears that one of the Government Houses is used as a Church.

At Purdy's Mills a difference arose about the site of the Church, which delayed the building, but it has since been erected.

At New-Market the Inhabitants are ready, and have long been, to build a Church the moment a Clergyman is assigned them—but this is a condition

with which it has not yet been found convenient to comply.

In regard to Woolwich, General Pilkington, the Proprietor of the Township, gave orders to his Agent many years ago, to build a Church.—He went so far as to send out Plans, and some Emigrants, with the assurance that a place of worship would be provided immediately for them. Knowing these things, and the place not being in the common line of communication, I thought the Church had been built, and why it has not, I have not been able to learn.

In the column of stations, two or three places are mentioned which have been changed for others more promising.

These are all the errors, if they can be called such, and they were corrected in the Chart which I published in 1828. Now it is manifest that they have no bearing upon the question of numbers, nor are they in any proportion to the omissions in the same Chart respecting the Church of England, which had greatly increased during my absence, but of the particulars I could not avail myself in my communication with the Government, as they had not been sent to me from Canada.

It is worthy of remark that while these three Gentlemen were declaiming before the Committee with so much violence against my Chart of 1827, as being full of gross misrepresentations, they had in their possession the corrected one for 1828. The former states that there were in Upper Canada 30 Clergy-men, and 35 Churches belonging to the Church of

England, and that these Clergymen did duty at 58 places.—By the latter, against which a voice has never been raised, it appears that there were 39 Clergymen—43 Churches, and 102 places at which these Clergymen did duty: so that in the short space of one year our Church numbered 9 additional Clergymen—8 new Churches, and 44 new stations. Now had these Gentlemen been desirous of communicating the truth to the Committee, they would have made use of the second Chart, instead of clamorously dwelling upon the trifling inaccuracies of the first, particularly as it was compiled in the Province from returns made by the Clergy, and for the accuracy of which I am justly responsible.

So much for the Ecclesiastical Charts;—let us now descend to the facts disclosed in Dr. Lee's evidence.

In the Memorial presented to His Majesty's Government by Dr. Lee, of which he produces a copy for the Committee, it is given as a quotation from the Report of the Society for the Propagation of the Gospel in Foreign parts, for 1821—“That the number of Communicants at 17 stations in Upper Canada, served by 17 Missionaries, whose Salaries amounted to £3,345, did not exceed 118.—As a contrast with this admitted fact, it may be stated that in the year 1823 the Presbyterian Congregation at Perth, which began to be formed only five years ago, (and which, although not served at present by a Minister of the Church of Scotland, must by express stipulation be so served in time to come) contained not fewer than 270 Communicants.

On turning to the Report of the Society for the Propagation of the Gospel in Foreign parts, for 1821, from which Dr. Lee says he has taken this admitted fact, I find the Communicants instead of 118, are 367, or more than three times the number. I likewise find that only 10 out of the 17 Missionaries gave returns of their Communicants. Had returns been made by the other 7, in the same ratio, 256 must be added, making 623, instead of 118—that is nearly 6 times as many as Dr. Lee states to be the true number.

Such is the correctness of a grave document presented to His Majesty's Government, by the Convener of a Committee, appointed by the General Assembly of the Church of Scotland.

Dr. Lee places in contrast, with this manufactured quotation, the number of Communicants belonging to the Presbyterian Congregation at Perth. This cannot be admitted—1st.—Because that Congregation is not in communion with the Church of Scotland.—2nd.—Because the Rev. Mr. Bell, by whose labors this large Congregation has been collected, honestly admits, that perhaps one-third of this number belongs to the two Churches, which have been formed in the neighbourhood, so that instead of 270, the number for comparison should have been 180; but I repeat that Dr. Lee has no right to count as belonging to the Church of Scotland, the various Presbyterian, or rather perhaps Independent Congregations in the Province, much less to hold up their Ministers as the Pioneers of the Scotch Clergy.

On the subject of Communicants it is proper to remark, that they form no correct criterion for ascertaining the numbers of different denominations.— Among Episcopilians, seldom more than 1 in 12 are calculated upon as regular Communicants. In the Church of Scotland the proportion is said to be greater. In the Township of Drummond, in which the Town of Perth is situated, there are 836 Episcopilians, and only 489 Presbyterians, and yet it is probable that Mr. Bell, the Presbyterian Clergyman, has as many Communicants, as Mr. Harris, the Missionary of the Established Church. It is farther to be observed, that in the Report of the Society for the Propagation of the Gospel in Foreign parts, the average number of Communicants only is given, who attend at any one time, and this is seldom half the number belonging to the Congregation. Moreover, in Scotch Churches, the Sacrament of the Lord's Supper is not in general celebrated oftener than once a-year, and consequently all who are able attend, and many come from other Congregations, which is not the case with our people, who have frequent opportunities, and never on such days leave their own Churches, as the celebration takes place at them all on the same days.

Dr. Lee states—(Report, page 288)—“ We have “ also now this information with regard to two of the “ Districts, which Dr. Strachan takes notice of, as “ containing no Presbyterian Congregations, Niagara “ and Gore—there are 8 Presbyterian Congregations “ in each, or 16 in all, although Dr. Strachan does “ not admit one.”

It is in evidence before a Committee of the House of Assembly, composed of persons, who will not be accused of being friendly to the Church of England, that there were in these two Districts in 1828, when this evidence was given, four Clergymen not in communion, and one Clergyman in communion with the Church of Scotland, who have one, and some two Congregations each—the remaining Congregations are only to be found in Dr. Lee's statement. It is farther to be observed that, in 1827 there was no Scotch Clergyman in these two Districts—at present there is one such in each of them.

Both in his memorial and evidence, Dr. Lee states, that it cannot be denied, that there are in Upper Canada 30 Presbyterian Congregations professing to adhere to the doctrines and worship of the Church of Scotland, and though the Presbyterian Ministers in the Province do not exceed twenty in number, and though only five of this number have been Ordained by Presbyterians of the Church of Scotland, it is ascertained that a great majority of the people are zealously attached by principle and education to the Established Church of Scotland.

On this passage I remark that, in February 1828, the state of the two Churches was as follows :—

Clergymen of the Church of England,	- - -	39
Clergymen of the Kirk of Scotland,	- - -	6

Difference, 33

H

For the sixteen Presbyterian Ministers, who neither claimed, nor were acknowledged to have any communion with the Kirk of Scotland, until it was thought necessary to invite them, when the Scotch Clergy advanced a claim to the legal endowment of the Church of England, in order to magnify their numbers, I can give no credit. In truth, the General Assembly cannot acknowledge any Clergymen, who have not been Ordained according to her own Rules, without changing the fundamental Laws of the Kirk. Were it allowable thus to groupe together all who generally adhere to the same religious principles, we should in this case also, have much the advantage, by claiming all the Methodists, who are as Mr. Alder says, a branch of the Church of England, both at home and abroad, and the Lutherans, with whom we are in coummunion; but the Church of England disdains such proceedings, and leaves it to Dr. Lee, and his associates to support his cause by such artifices.— It is admitted that, as a stroke of policy, it has been exceedingly successful. It has bolstered up the cause of the Kirk, and enabled her to deceive Government as to the number of her adherents, and to produce more favourable attention to her demands. If indeed the claim of the Kirk of Scotland should be recognized, the success may be justly attributed to the active co-operation of the Presbyterian Clergy in the Canadas, not in her communion, and if the promises made to them are redeemed, I must allow, that they will have no cause to repent of their seasonable assistance.

A few days before Dr. Lee gave this testimony, he reported to the General Assembly, in the name of a Committee of which "he was convener, that "with regard to Upper Canada, it was established "beyond all question by the returns (which he had "received) that of the whole body of the Inhabitants "of this Province, supposed to average three hundred "thousand at least, and augmenting with great ra- "pidity every year, by new importations, one half, "at the lowest estimate, are decidedly attached to "the doctrines and discipline of the Church of Scot- "land."

Alas! for Dr. Lee's statement, and the veracity of his correspondents in respect to the population of Upper Canada, which instead of 300,000, is, according to the last census, only 188,558. If from this we take the Doctor's 150,000 Presbyterians, we have only 38,580 to divide among all other denominations, and yet, he is obliged to confess, that there are only six—now, I believe, eight, Clergymen belonging to the Kirk, to supply the religious wants of this immense population.

I feel how disagreeable it is to pursue this examination farther, but as Dr. Lee has become the channel of the most absurd and unjust statements against the Church of England, and has proceeded systematically to depreciate her exertions, it is necessary to notice the Gentlemen, who were associated with him in this honourable work.

Of the Rev. Mr. Leith's testimony, it may be sufficient to remark, that he holds up the Eastern Dis-

trict, which contains four Presbyterian Congregations, and, as he says, two, but, in fact, four Congregations of Episcopalian, as a fair specimen for the whole Province—although he knew that in the other ten Districts, several of them more populous than the Eastern, there were only two Clergymen belonging to the Kirk of Scotland, while there were thirty-nine Missionaries belonging to the Church of England, having several Congregations each.

The same Reverend Gentleman asserts, that the Presbyterians are to the Episcopalian as ten to one—and speaking of the Episcopalian Congregation at Cornwall, where he resided four years, he avers that, the hearers were only between thirty and forty in number, while he admits that the Communicants average forty—thus giving a greater average of Communicants than hearers.—So much for the value and correctness of his testimony. The remainder is a violent repetition of Dr. Lee's, and Mr. Grant's evidence, and equally intitled to credit.

Mr. Grant, a Barrister at Law, belonging to the City of Montreal, Lower Canada, was employed by the Petitioners of the Church of Scotland, to advocate their claims to a share of the Clergy Reserves. In that character he was examined by the Committee of the House of Commons.

He says, (Report, page 191) the "number of the Clergymen of the Church of England have multiplied in a greater ratio than their flocks."

Every Clergyman of the Church of England employed in the Canadas has from three to eight stations,

at which he regularly and occasionally performs Divine service. It is evident therefore, that to every one now employed, two or three more might be profitably added to labour within the limits of the same Mission. Moreover, the applications from places, to which we are unable to send, even occasional assistance, are twice as numerous as the stations already occupied. Yet, in the face of these facts, Mr. Grant states that our Clergy multiply in a greater ratio than our flocks. Such a departure from truth is almost incredible.

He states, (page 192) that the Protestants in the Western District of Upper Canada amount to 4,500, of which one half, or 2,250, are supposed to prefer the Presbyterian form of worship.—At the time of Mr. Grant's statement, there was neither Presbyterian Minister nor Congregation in the Western District,—lately a small Congregation has been organized at Amherstburgh, in connexion with the Church of Scotland.

Mr. Grant assumes that, out of 20,000, the population of the District of Niagara, three-fourths, or 15,000, are supposed to be Presbyterians, and attached to that form of worship. The number of Episcopalians, he says, is very small. On reference to the Report of the House of Assembly for 1828, I do not find a single Congregation in that District in communion with the Kirk of Scotland, and of other Presbyterians, only three Clergymen and three Churches, while there are five Clergymen belonging to the Church of England, and seven Churches, besides

various stations. With respect to this District, it appears from a document now before me, signed by two of the Principal inhabitants, that in 1789 and 1790, one half of the whole population belonged to the Church of England, and the District of Niagara, being early settled, has had the character of its inhabitants less altered by recent Emigration than any other in the Province.

He states, that the population of the District of Bathurst, amounting to 12,000, are chiefly from Scotland, and that the majority are Presbyterians. Nevertheless, he is forced to allow, that there is not one Clergyman belonging to the Church of Scotland settled in all that part of the Colony, and only three, with their Congregations, Seceders from that Church. That a great majority are not Presbyterians, appears from an Official Return of the population of three of the best settled Townships—Bathurst, Drummond, and Brockville, in which the religious denominations are—

Episcopilians, - - - - -	2,158
Presbyterians of all descriptions—Scotch,	
Irish, American, &c. - - - - -	1,581
Roman Catholics, - - - - -	766
Methodists - - - - -	206
Baptists, - - - - -	80
Of no communion, - - - - -	11

Mr. Grant supposes that, out of 30,000, the population of the Midland District, ten thousand are Presbyterians. The Report of the House of Assembly gives three Presbyterian Clergymen, with their Con-

gregations—one of which only belongs to the Church of Scotland.

From the Eastern District, Mr. Grant selects four out of ten Townships, and gives them as a specimen of the whole. And although warned by the Committee that this selection may have been partially made, yet fearless of detection, for the Church had no friend present acquainted with the localities of the Province, he persevered. Now it is notorious, that the greater part of the Eastern District is inhabited by Emigrants from Scotland, and that the County of Glengary is exclusively Scotch—one half Presbyterian, and the other Roman Catholic, and that it would be as near the truth to say, that the Inhabitants of Ireland are chiefly Presbyterians, as to say that this is the prevailing denomination in Upper Canada, because it divides the County of Glengary with the Church of Rome.

He says nothing of the County of Stormont in the same District, which contains a great number of Episcopilians and Lutherans. Such are the vague and inaccurate statements of Mr. Grant, when speaking of Districts.

When he descends to particular Congregations, his assertions are equally at variance with truth.

He states the attendance of the Church of Chatham in the Western District, to be from 20 to 30. The resident Missionary and Church-Wardens certify to 300. The hearers at Niagara, Mr. Grant says, are 90—the Missionary says 200, and the public Assessor for 1828 returns 434 Episcopilians out of 1,242, the

population of the Town, or more than one-third of the whole.

The hearers in Bastard, according to Mr. Grant, are from six to eight. The Clergyman, with his Church-Wardens, certify to 200.

The Communicants at Perth, Mr. Grant states at 20,—the Clergyman, Mr. Harris, declares the average number to be 163, and 250, within the limits of his Mission.

Mr. Grants evidence of the relative adherents of the two Churches in Lower Canada is equally remarkable for rash assertion ; but I shall confine myself only to the Towns.—He believes, that the Presbyterians in the Town of Three Rivers are at least equal to the Episcopalian. Now the fact is, that of the former, there are only 54, while the latter amount to 224.

Mr. Grant states that, in Montreal and Quebec, the Presbyterians are more numerous than the Episcopalian.

One of the Commissioners appointed by the Government to take a census of the population of the County of Montreal, who is a French Canadian, and a Roman Catholic, while making the census, took down the numbers of each denomination, from which it appears, that the members of the Church of England in the Parish of Montreal, are 4,156. The Presbyterians, including the Church of Scotland, Seceders, and American Presbyterians, 3,429. Now this is a public document, to which Mr. Grant had access, for, be it remembered, that he is an Inhabitant of Montreal.

Next with respect to Quebec :—

The sittings in the Cathedral, and two Chapels, are 1,638. In St. Andrew's Church, the only place of worship in connection with the Kirk of Scotland, the sittings are 1,200, of which only 900 are in occupation. Moreover, in a period of four years, the Clergymen of the Church of England have baptized and buried twice as many as the Presbyterian Clergyman.

It is disagreeable, and I trust unnecessary, to pursue this subject further, or to dwell upon the injustice done to the Church of England in the Canadas in the evidence taken before your Committee—and yet, from this evidence, unworthy as it is of the smallest credit, the Report asserts that, the Members of the Church of England are a small minority in the Province of Upper Canada.

Were it not for the probable consequences of this opinion, it might be considered rather ludicrous than serious, for any collection of Gentlemen, possessed of common understanding, to arrive at the grave conclusion that a Colony, whose first Inhabitants were Refugees, and chiefly Episcopalians and Lutherans, and which had been since that time filled up by Emigration from the United States, by persons, many of whom were of no decided religious profession, and from the United Kingdom, containing twenty-two millions of Inhabitants, of which not one-sixteenth are Scotch Presbyterians, yet contains a greater number of Members of the Church of Scotland, than of the Church of England. There are in Upper Canada,

two native Irishmen for one native Scotchman, and more that have been born on the American continent than of both. .

It is much to be regretted, that more attention was not paid to the honest and manly evidence of Mr. Morgell. One has only to compare his conscientious testimony with the flippant and rash assertions of Dr. Lee, Mr. Leith and Mr. Grant, to be convinced which is most deserving of credit. Mr. Morgell never asserts any thing on doubtful authority. When his information on any point is imperfect, he declares so, and even when it seems against the cause which his heart desires to support, as may be seen in what he says of the Methodists, he states it frankly, and without reserve. Similar remarks may be made on the evidence given by the Venerable Archdeacon Hamilton, but it is quite evident, that the Committee paid little regard to what they said, and though they lament their want of information from Upper Canada, they rejected what Mr. Morgell afforded them, namely, that which was to be gathered from my Speech, which was the most recent communication from the Colony, and contained a variety of facts respecting the state of Religion and the two Churches, drawn up from authentic sources, and published in Upper Canada, where to this hour they stand uncontradicted. But though the Committee would hear nothing from this publication in favour of the Church, they were quite willing to hear Lord Sandon against it, with what credit to himself is not for me to say. Not only did the Committee decline to avail themselves of the in-

formation within their reach, but even to delay their decision till that, which Archdeacon Hamilton told them the Bishop of Quebec was preparing, should reach them. It is indeed said, that a different Report had been drawn up, and that many of the Members, not anticipating any change, went to the Country.— That advantage was taken of their absence to alter the Report, which was carried by one voice only. Be this as it may, the friends of the Church in Canada have in general regretted, that the evidence collected by the Bishop of Quebec had not been before them, as, in their opinion, it would have brought them to a different conclusion. I must confess that I am sceptical on this point. The very spirit of many of the questions breathe indifference, even hostility, to the Church of England, and the treatment of Mr. Hamilton was not such as to encourage any hope from their proceedings in her favour. But although the evidence prepared by the Bishop might have had little or no weight with the Committee, it may be different with His Majesty's Ministers and the Legislature. I shall, therefore, state its substance with all brevity.

The Lord Bishop of Quebec addressed a circular to his Clergy containing seventeen questions, the answers to which, signed by the officiating Clergyman, a Justice of the Peace and the Church Wardens, furnish a great mass of useful information.

The first question was :—What is the whole number of Protestant Inhabitants within the range of your Labours ?

The aggregate of the answers from Upper Canada is, 64,829—from Lower Canada, 35,595. The object

of this question was to confine the Clergy in their returns to the Protestants within the limits of their different Missions ; and accordingly their answers do not comprehend the Protestant population beyond the limits of such Missions, which amount to double the number returned. My answer, for example, is confined to the Town and Township of York, and includes no other part of the District, because to these my services were chiefly directed, although I paid occasional visits to other Townships ; and taking the census for my guide, I replied, 4,457 souls, chiefly Protestant. The advantage of putting the question in this manner, was a certainty that the answers would be correct, as the Clergy had the means of ascertaining the number within such narrow limits with great exactness. There is, nevertheless, one disadvantage attending it, which requires explanation. The population of Upper Canada is nearly 200,000, but the aggregate number returned by our Clergy was only 64,829, a number which appears very small, till it is recollect, that this is only the Protestant population, at, and in the vicinity, of the Missionaries residence, leaving out more than two-thirds of the Province, to which the Society is, as yet, unable to extend its assistance. The same remarks apply to Lower Canada, the Protestant population of which may be nearly 100,000.

The second question was :—What is the total number of persons which attend upon your Preaching in all the different places where you at any time officiate ?

The aggregate answer for Upper Canada was, 12,574—add Kingston, which was omitted, 1,000—

13,574, or rather more than one in five of the population included in the returns.

For Lower Canada the aggregate was 12,916, or rather more than one in three.

The result for Upper Canada is smaller than for Lower Canada, because the Country is so much more extensive than the Protestant part of the Lower Province, and the number of Clergymen fewer in proportion. In some Districts of Upper Canada, containing many thousand square miles, there are only two Missionaries. Thus, in the Home District, comprehending forty Townships, or Parishes, and upwards of 23,000 Inhabitants, there are only two Missions. Now in this population there are more than six thousand souls, or nearly one-third, who declare their adherence to the Church of England. Eight places, besides those which are supplied, have petitioned for Clergymen, three of which, by their memorials, furnish 167 families, and upwards of one thousand souls. After a diligent Clergyman has been some time settled, the proportion in favour of the Church is very much increased. In some places it is nearly one-half, as in Cavan, York, and I believe Cobourg—in many one-third &c.

In fine, the returns furnished to the Bishop fully establish the fact, that one-fifth in Upper Canada, and one-third in Lower Canada, are adherents, or friendly to the Church of England; and that the proportion would soon become more in favour of the Church, were we able to send Clergymen to the numerous Settlements, as soon as they are required. The same

fact is confirmed by adverting to the Parochial divisions of the Province. The returns of the Missionaries do not include above forty Townships or Parishes, out of more than two hundred, many of which contain a greater population than those which have been returned.

Such Sir, is the substance of the evidence for which your Committee refused to wait.

With respect to the concurrence of the Committee, with the opinion of the Crown Officers in the legal interpretation of the Act, I shall offer only a very few remarks. Had the Committee gone no farther than this opinion warrants, although I consider it erroneous, it would have availed our adversaries but little, for as it proceeds upon the assumption, that the Church of England must be first satisfied, before the Scotch can enter, it resolves itself into the answer given by His Majesty's Ministers in 1824 to the General Assembly : "That in regard to the proceeds of the Clergy Reserves, it would be time enough to consider the claims of the Church of Scotland, when they were found more than sufficient to support the Established Church." Now, as will afterwards be shewn, the Reserves will not, for a long series of years, support such a number of Clergymen of the Church of England as are sufficient to supply the wants of the people.— The contention, therefore, which has been excited is very foolish, and no real advantage can accrue to the Church of Scotland from the opinion of the Crown Officers, even supposing it correct; for although it states, that under the 37th Section, the Rents and

profits of the Lands may be applied to the maintenance and support of the Church of Scotland, as well as those of the Church of England, but not to the support and maintenance of Ministers of Dissenting Congregations, it admits that, under the 38th clause, all the Lands allotted and appropriated in any Township or Parish, may be wholly taken up, in forming the endowment of any particular Parsonage or Rectory within the same; and this taken in conjunction with the power of establishing more than one Parsonage or Rectory in any Township in which they may be required, places at a still greater distance any aid to the Church of Scotland.

But although the opinion of the Crown Lawyers, if carried into effect, would not be very detrimental to the Church of England, I hold it to be erroneous, and I quote in contradiction to it that of an eminent English Barrister, which has been concurred in by several eminent legal characters, and which appears to me far more agreeable to the spirit and true meaning of the Act.

Mr. Patterson, after shewing that the words "a Protestant Clergy," mean one single and entire body, and that the Clergy of the Church of England, and those of the Kirk of Scotland can never form one body, says, "I am therefore of opinion, that the Acts (the 14th and 31st of Geo. 3rd,) contemplate one single body of Protestant Clergy, and have no doubt, that the Clergy of the Church of England are that body.—I am also of opinion that the Governors of the Provinces, acting under His Majesty's direction,

cannot legally make any appropriation to the Ministers of other Churches." Indeed the enactments in the 31st Geo. 3rd, Chap. 31, making provision for a Protestant Clergy are all descriptive of the Church of England, and no other Church, and from the evident care of continuing the phrase "a Protestant Clergy," from the reformation to the present time, it is manifest, that it is used in contradistinction to the Roman Catholic Clergy. The article "a," was preserved in the Royal Instructions, and in the 14th and 31st Geo. 3rd, because it is distinctive, and places the Protestant and Roman Catholic Clergy in contrast—because it confines the meaning to one body, and one only—and because there was at that time no Protestant Clergy in either Province.—For these reasons the article "the" could not with propriety be made use of. A provision for a Protestant Clergy was to be made, and then a Protestant Clergy was to be introduced; and of what Church the Phraseology of Sections 38, 39 and 40 of the 31st Geo. 3rd, Chap. 31, clearly points out. They were to be of the Church of England, and no other Church. It appears almost impossible to read the clauses for the regulation, support and endowment of the Church, according to the Establishment of the Church of England, and the powers which they confer upon the King's Representative without being convinced that that Church only could be meant. If therefore the Clergy of the Kirk of Scotland be let in there is no reason why any other denomination of Dissenters should not also be admitted, and then the words "a

Protestant Clergy" must be taken, to mean Protestant Ministers or Teachers, which appears altogether absurd. After passing the Church of England, where shall the meaning terminate,—Congregationalists, Seceders, Irish Presbyterians, Quakers, Baptists, Methodists, Moravians, Universalists, Menonists, Tunkers, &c. will undoubtedly prefer their claims—and as many of them are more numerous than the Presbyterians in communion with the Church of Scotland, they will consider themselves aggrieved should their claims be rejected—claims of which they never would have dreamed, had not so small a portion of the population of this flourishing Province as belongs to the Kirk succeeded in obtaining the same object.

In confirmation of the opinion given by the Crown Officers in favour of the Clergy of the Church of Scotland coming in, to a limited extent, under the 37th Section of the 31st Geo. 3rd, Chap. 31, the Committee heard James Stephen, Jun. Esquire, Counsel to the Colonial Department. This Gentleman's sentiments are stated with great clearness and ability, and afford one of the best specimens of nice distinctions, and legal ingenuity, that I have ever seen, but they carry no conviction to my mind—and one single remark, incidentally introduced, appears to me to overturn all his previous reasoning, acute and subtle as it certainly is. Mr. Stephen admits that, "the Acts of Union prevent the legal establishment of the Church of Scotland in any part of the United Kingdom except Scotland."—Now by the best legal au-

thorities it is held that, where the Government of a Country provides a fund, by their own authority, for the maintenance of the Ministers and Teachers of any religion, such a religion is said to be Established. If, therefore, the Clergy of the Church of Scotland are entitled to claim a provision for their maintenance under the 31st George 3rd, Chap. 31, that form of worship is Established in the Canadas contrary to the Acts of Union, and to the 1st of Elizabeth, Chap. 1, which Establishes the Church of England in Her Majesty's Dominions and Countries, that now be, or hereafter shall be annexed to the Crown. Now it is not contended that Parliament may not Establish the Presbyterian worship in any part of the British Dominions, but I do contend, that in so doing it would be clearly stated and set forth, and not be matter of questionable inference or of doubtful construction.— And had the words "a Protestant Clergy" included two distinct bodies, contrary to the plain sense and meaning of the expression, some explanation would have been given, and the Church of Scotland would have been particularly named, as well as the Church of England.

Mr. Stephen in another part of his evidence says, —" Now as it seems to me in all these passages the " Church of England is expressly mentioned when " the Church of England is meant; and where the " more comprehensive sense is to be conveyed, the " more comprehensive term, a Protestant Clergy, is " employed, and this expression he confines to any " Protestant Clergy established by the Law of this

"land." Not being a Lawyer, I may be totally ignorant of the proper mode of interpreting Statutes, but on the principles of common sense, it does appear to me, that the Legislature never meant to include two bodies under the words "a Protestant Clergy," which the article confines to one body—that had the Clergy of the Church of Scotland been intended they would have been expressly mentioned as well as those of the Church of England—that to include more than one Church is an interpretation contrary to the fundamental Laws of the Empire, which, without special provision, only permit the English Protestant Church to be established in any Colony or portion of the Empire. It is quite evident by the 1st Elizabeth, Chap. 1, which has never been repealed, that the Establishment of the Church of England was considered by the Legislature an indispensable part of the general policy, and was intended to take effect in all Countries that either then made, or should hereafter make, a part of the Dominions of the British Crown.

All this is confirmed by the steps recently taken by His Majesty's Government for the support and efficiency of the Church of England, as the Established Church, in the West Indies and in New South Wales. In this latter Country a reservation is made of lands for the maintenance of the Clergy, and for the purposes of education, as follows:—A block of land is set apart in every County, which is conveyed to a Corporation called the Trustees of the School and Clergy Reserves. The Corporation have the power of sell-

ing one-third of what is so set apart for them, and applying half of the produce of these sales to the improvement of the rest. The Corporation are to grant Leases of what remains in its improved state, and the rents which they are to receive from these Leases, with the interest arising from half of the proceeds of the sales, are to be divided into two equal shares,—of these one is to be applied in supporting Schools for the education of children in the principles of the Established Church of England: the remaining half is to be applied to the support of the Bishop and Archdeacon in the first place, and then for the support of the other Clergy of the Church of England. When these objects are effectually provided for, the surplus is to be applied in whatever manner the King shall be pleased to direct.

Before leaving this subject it is not undeserving of remark, that every writer on the Canadas understands the Reserves as belonging exclusively to the Clergy of the Church of England. This was evidently Mr. Burke's view of the subject, who, in his famous letter to Sir Hercules Langreshe, says, "I voted last Session for an establishment of the Church of England "with the Establishment that was made some years "before by an Act of Parliament of the Roman Catholic in the French conquered Country of Canada." A like opinion is expressed by the late Bishop of Winchester, Dr. Prettyman, in his life of Mr. Pitt.—And we have already seen that His Majesty's Government has to this time acted upon this opinion—that it was the opinion of the Executive Authorities

in the Province, and of the Legislature, till after the settlement of the tithe question. It is indeed the only opinion which renders the Act of the 31st Geo. 3rd, Chap. 31, consistent with itself, or in accordance with the fundamental Laws of the Empire. The intention of the Legislature in conferring a Constitution similar to that of Great Britain, necessarily included a provision for Religion as well as for the Civil Government; for as Church and State are intimately joined in the Constitution of the Mother Country, it would have been a fallacy to have offered the Canadas that Constitution and only conferred half; but the Canada Act clearly includes both, and gives, as it promises, a Constitution as nearly resembling that of the Parent State, as from the difference of the Countries, and their relative situation, it was possible to grant. The rights of the Church of England, therefore, in these Provinces rest not for their support on appeals to national feelings or prejudices, they are clearly and explicitly recognized by the Law. She depends not upon implication or forced construction of its provisions for that recognition, but on the specific and direct application which it contains to her Establishment, her Ministers, her Rites and Ceremonies; for the correctness of this opinion I appeal again to the clauses of the Statute, and as long as words have meaning, and these words remain on the Statute book unrepealed, I shall be unwilling to concede the right claimed by any other. This opinion I shall be at all times ready to support in a temperate and moderate manner; and as a contrast to this opinion, I will frankly add, that if

the same specific and direct application had been made in the Law to the Church of Scotland, without any mention whatever having been made of the Church of England, if the words, Church of Scotland, had been inserted in the Law, as that whose Ministers alone were to be presented to every Parish from their Synods, or Presbyteries, to be supported out of the appropriation, I should then have most cheerfully joined in acknowledging, that to her, and none other, did that appropriation belong. The reverse of all this being the case, with no unfriendly feeling to that highly respectable Church, I must express it as my decided opinion, that the Law gives her no right whatever to a participation in the Clergy Reserves.

As the Committee freely admit, and with expressions of regret, that there is no prospect, as far as a present and succeeding generation is concerned, of their produce being sufficient for the maintenance of a Protestant Clergy, and recommend, in the strongest manner, the propriety of securing for the future, any provision which may be deemed necessary for the religious wants of the community in these Provinces, by other means than by a reservation of one-seventh of the land according to the enactment of the Act of 1791, it may elucidate the subject to state the precise situation of the Reserves at this moment, the causes which have hitherto rendered them so unproductive, and what prospects they hold out of future efficiency. In regard to the disapprobation of the policy adopted by Mr. Pitt, in reserving one-seventh of the lands for the support of a Protestant Clergy, I must confess

that I am one of those who would not hastily condemn any measure maturely considered and acted upon by that able Statesman. When he proposed in Parliament to make this reservation, it was objected, that such a provision was beyond precedent lavish and disproportionate to the object which it was intended to answer: but Mr. Pitt vindicated the proposition by stating, that it was much less than one-tenth of the produce, and that it had almost become an established custom in England when land was given in commutation of tithes to fix it at one-seventh; now while this argument shewed that the proportion was not too large, the reference to tithes confined it to the Church of England, for neither the Church of Scotland, nor Protestant Dissenters, were in any manner supported by tithes, so that this great Minister could not, in defending the appropriation, allude to the support of any other Clergy than those of the Established Church. That any attempt to give decent support to a body of regular Clergy should have appeared objectionable to many, in the revolutionary period of 1791, cannot excite much surprise, but that the same objection should be made after the experience of the last half century, argues the spread of principles which threaten to destroy the pillars of civilized society, and to produce in the British Dominions the dreadful scenes of revolutionary France. The Clergy have ever proved the steady friends of peace and order, and of rational liberty; and the resolute opposers of anarchy and confusion. All, therefore, who are desirous of change, begin with vilifying them, and every measure tending to their benefit.

The whole surface of Upper Canada is supposed to contain thirty-one millions of Acres of Land—but the Lakes are so numerous, and the interior of a large portion of the country so rocky and barren, that it is not believed that more than two-thirds can ever be brought into cultivation,—the property, therefore, reserved for the support of a Protestant Clergy can never exceed three millions of Acres, or 15,000 allotments of 200 Acres each, many of which will be found incapable of cultivation. The value of this property, as found by Commissioners two years ago, at 3s. 6d. Cur'y. per Acre, was £ 525,000, or £ 472,500 Sterling, which, if placed in the funds at 4 per cent, would yield an annual revenue of £ 17,900 for the support and maintenance of a Protestant Clergy, in a country nearly as large as England. It is true this valuation was considered too low, and it is expected that one-fourth the proportion now proposed for sale will realize nearly as much as the whole if sold at the above price. But although it may be wise to dispose of a portion of these lands for the purpose of increasing the number of the Clergy, and making them in some measure commensurate with the wants of the people, it would be improvident to sell the whole, because in time the leases will be more productive. At the same time, if we judge from what takes place in the United States, each lot will not produce for a century to come, an average rent of more than £ 20, which, with the interest of the capital arising from the one-fourth exposed for sale, will not afford a revenue of more than £ 240,000, to support an Ecclesiastical Establishment for a population of three and a

half millions of people, which will in all probability be in the Province at that time.

This provision will, therefore, be at no time ample for the support of a Protestant Clergy sufficient for the wants of the population of the Canadas when fully settled.—And here it may be remarked, that whether the provision be adequate or not, it is evident, that on it the Church of England in these Colonies must ever depend. The voluntary contributions of the people, as the experience of the various Dissenting denominations sufficiently proves, being a source too precarious, and a dependence upon it at variance with the nature of an Establishment—
inconsistent with the respectability and independence of the Clergy, and likely to disturb the harmony which ought to exist between them and their flocks.

Hitherto, the provision has been inefficient, from causes now very obvious, though not perhaps anticipated in their full extent by the distinguished Statesman who advised the appropriation—

1st. The Province of Upper Canada has, from the first day of settlement to the present time, been filled up by paupers, or persons without capital, so that it may with great propriety be called the asylum of the poor. It was first settled by the Refugee Loyalists from the British North American Provinces, now the United States—all of whom were without capital—many entirely destitute. Every accession of inhabitants has been of the same description—whatever

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wealth (and it is yet very little) there is in this Province has been drawn from the soil. During the short period that intervened betwixt the American War and the French Revolution, the Country was scarcely known to any but the unfortunate Loyalists. From 1793 till 1812, it proceeded, without notice, to advance very slowly in wealth and population: but no capitalist appeared, there was indeed no inducement, large contiguous tracts could not be purchased from Government, which seemed, from its mode of dividing the land into small allotments, to provide for as wild a Democracy as that of Athens, and hinder forever, the creation of an Aristocracy. This effectually prevented Capital being laid out on land, for the purpose of preparing it for settlement,—when, therefore, the Merchants, or disbanded Officers acquired landed property, it was scattered through different parts of the Province, and they, instead of improving, allowed it to remain in a state of nature, waiting till the gradual increase of settlers in the neighbourhood should give it a value.

The short War in which Great Britain was involved with the United States, being chiefly carried on in Upper Canada, brought it into notice, and notwithstanding the calamities of sickness, death, and conflagration, with which it was attended, it left some wealth among the inhabitants. This, on the return of peace, gave a new spur to improvements, so that, although no Capitalists yet came in, lands began to sell much higher than they had ever done before, and a very considerable spirit of enterprize prevailed from

the termination of the European War in 1815, till 1818, when the sad depression which was felt in England reached the Province. The money acquired by the inhabitants during the War was gone, and the low price of produce was insufficient to replace it—the consequence was, a great fall in the price of land, and much distress. Many had acquired habits of expense, which they were reluctant to lay aside,—this involved them in debt to their Merchants, who, in turn, were pushed.—Their Farms and Lands were seized, and there being no Capitalists to purchase, they were sold much below their value. Those who consider these causes, will not be surprised that so few of the Reserves were leased, and the rents so imperfectly collected—the wonder is, that any leases were taken out, when to these the following reasons are added :—

1st. That from the first settlement of the Province, up to 1828, Government has encouraged settlers of good character and loyal principles, to come into the Province, and granted them lands at a trifling expense.

2nd. That the sons and daughters of the first settlers, or American Loyalists, are entitled to a grant of 200 Acres each, on coming of age, which prevents them from being under the necessity of purchasing.

3rd. That gratuitous grants have been ordered to all half-pay, or disbanded Officers, Soldiers or Seamen of the Army and Navy, who come into the Province, according to their rank.

4th. That like grants have been given to the Militia of the Province, who served during the War.

5th. The great quantities of land thrown into the market by the confiscation of the Estates of traitors.

6th. The quantities sold at a mere trifle by many of those who got gratuitous grants.

7th. The quantities sold by Land Surveyors, who Survey for a percentage on the land, and being without Capital, are obliged to sell part at any price, in order to pay their labourers.

8th. The lands of Absentees, which are now to be sold in immense quantities for arrears of the Land Tax.

9th. So long as industrious persons get land from Government for a trifle, or from individuals in convenient situations, at a low price and long credit, they are little disposed to take lands upon lease—to all these must be added :

10th. That among the Colonists a preference is uniformly given to lands in fee simple to leases, even where the latter are more advantageous.

When the situation of the Country is duly considered, and the operation of these various causes taken into account, and when it is remembered, that it was not till 1801 that the first lease was issued, it is rather surprising that nearly two thousand have been taken out, and that scattered as these leased lots are over a surface of nearly 40,000 square miles, often without roads or lines of communication, the trifling amount of rent has been so imperfectly collected. It by no means follows that the Reserves will continue equally unproductive in future. We have only to look at the state of any charitable institution, and compare the trifling amount of rent yielded by their estates a cen-

tury ago and what it is at present. And to encourage us, it is quite evident, that the causes of this unproductiveness are passing away, they are all of a temporary nature, and will vanish altogether in a few years, as will appear manifest from the following considerations :

1st. When the Reserves were first offered for lease in 1801 the Capital in the Province was not equal to £100,000, now it appears to amount to almost two and a half millions by the common assessments and it is not less in real value than three millions.

2d. At that time the population did not exceed 30,000, now it amounts to more than six times that number.

3d. The Settlements were hardly visible on the surface of the Province ; no roads or regular communications, and only one mail during the whole winter—all seemed a dead wilderness, without enterprise or life. Now the roads are opening in all directions—communications by water excellent.—The mail passes twice a week.—The settlements are large, and almost entirely connected along the front for six hundred miles, and stretching back, in many places, from twenty to forty miles—produce increasing rapidly in quantity—commercial enterprise extending, and public works carrying on, which would astonish an old European kingdom. From the whole, I am warranted in assuming, that in twenty years from this time the greater number of the Reserves, unsold, will be under lease.

That this is not matter of conjecture, experience already proves ; a greater number of leases have been

applied for during the last ten years than from 1801 to that time. Besides, the increased population affords a certainty of their coming into demand, more especially as Government has determined to sell the remainder of the waste lands belonging to the Crown, of which the quantity is not great, and getting daily farther from the regular communications. From a careful inspection of the population returns for 1828 it appears, that of 191 Townships, which are all that are included in the schedules, except that two Townships are sometimes joined together :—

There are 36 Townships which average 36 Families each.—49 which average 90 Families, containing five to a family.—38 average 180 Families.—44 average 300 Families.—15 average 420 Families.—5 average 540 Families.—4 average 720 Families.

Now it is clear that all these Townships will fill up very rapidly, for it is found, that after forty or fifty families get settled in a Township the lands advance in value, and the Reserves begin to be sought after.—But from this table it is evident that, 155 Townships have ninety families, and upwards, settled in each, so that all the Reserves which they contain must, even exclusive of emigration, be taken up, from the natural increase of population, in a few years. Now the Clergy Reserves in each Township average about forty-five, but rejecting the units for bad lots, and reckoning forty lots in a Township, the number in 155 Townships will amount to 6,200, all of which may be fairly expected to be leased, or sold, in sixteen or twenty years. Of those lots, in virtue of the law for

disposing of one-fourth of the Clergy Reserves, 1,550 will be for sale. Assuming the price at only ten shillings per acre, though many will fetch a greater price, and none need be sold lower, they will produce £155,000, which placed in the Funds, as the law directs, will produce, at four per cent. £6,200

The remaining 4,650 lots will produce
on an average during the first lease
of 21 years, £3 10s. per annum each, 16,275

Annual income, £22,475

It is, however, to be remarked, that after the expiration of the first 21 years, and during the continuance of the second lease of 21 years, the average rent would be at least £8 0 0, or for the 4,200, £33,600

To which add the dividend for £155,000
as above, 6,200

Gives the annual income during the second lease, 39,800

Here the advantage of leasing above selling appears in a striking light. The period, therefore, at which the Reserves will become available is not so distant, or indefinite, as the Committee of the House of Commons seem to believe, nor is it to be called distant when the object is considered; much longer periods have elapsed before grants and bequests have come into active operation, without murmur or complaint.

The great difficulty seems to be to provide for the Church in the mean time, without having recourse to the Imperial Parliament.

Now it appears to me, that if the question respecting the Clergy Reserves was set at rest, and £10,000 were to be voted annually for the support of the Church in Upper Canada, for the next ten years, in addition to the allowance at present given by the Society for the Propagation of the Gospel in Foreign Parts, the Corporation might safely take charge of it after that period, and gradually return the sum thus advanced by the Imperial Government.--Or were a loan of £100,000 made to the Corporation, at 3 per cent, it might very safely assume the support of the Church, with the continuance of the present aid given by the Society, from this date, and in time repay the loan.

Should neither of these plans prove agreeable, and should His Majesty's Government chose rather to extend the sale in order to meet the wants of the Province, in which it appears that there are nearly 200 Townships in which a Clergyman might be usefully employed, although I should deem such policy erroneous, it does not seem too much to assume the sale of 4,000 allotments during the next twenty-one years, at ten shillings, and the leasing of as many, which, according to the calculations adopted above, would, at the expiration of that period, produce an income of £30,000 per annum.

Still the inconvenience recurs, of the Church being unable to meet the wants of the Province during the greater part of this period—an inconvenience which ought to be removed, even at a great sacrifice.

On the whole, Sir, the causes which have hitherto rendered the appropriation of the lands for the sup-

port of a Protestant Clergy inoperative, are rapidly passing away.—Only twenty-seven years have elapsed since any attempt was made to render them productive, and notwithstanding the many obstacles in the way, more has been done than could have, under such untoward circumstances, been reasonably expected, and quite enough to convince the most desponding, that in a comparatively short period a very considerable revenue, with judicious management, may be procured from their lease and sale.—And notwithstanding the objections made against them by the ignorant and interested—by the enemies of order and religion, I contend, that it is impossible to conceive a provision for the support of a Religious Establishment so unexceptionable.—It asks nothing from any man,—five-sevenths of the Province have been granted by His Majesty almost gratuitously, to various applicants—one-seventh has been sold to a respectable Company of Merchants, for the purpose of raising a fund to defray the current expenses of the Civil Government, and the Administration of Justice—and one-seventh has been reserved to form a support for a pious and learned Clergy, to dispense religious instruction among the people in the holy services of our Church,—for our late Sovereign rightly judged, that the establishment of an enlightened Clergy in the Colony would contribute more than any other measure to its happiness and prosperity.—Was this more than a wise and reasonable measure towards advancing the future happiness of those who

were yet to become inhabitants of the Province. And did not all those that went there go with the knowledge, that provision was made for supporting the National Church, by means which could take nothing from their substance, nor interfere with any plans which they might devise for maintaining any Priesthood which they might like better. If this provision, which has been shewn to be far from excessive, were withdrawn, the Church of England, as an Establishment, is destroyed: but let it be confirmed, and placed beyond the power of envy and the reach of malice, now that the question has been agitated, and before thirty years elapse, the Church will desire no better defenders than the Representatives of the people.

POLICY.

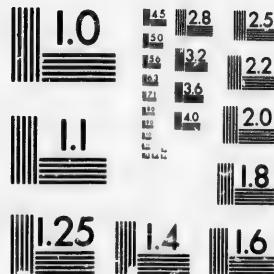
SIR,

Although the Committee affect some delicacy (Report, page 10) in expressing an opinion on the exact meaning which the words of the Act legally convey, they yet proceed much farther than the Crown Officers, in the following words:—"But with respect to the distribution of the proceeds of the reserved lands generally, they are of opinion, that they ought to reserve to the Government the right to apply the money, if they so thought fit, to any Protestant Clergy."—Least there should be any doubt as to their meaning by this expression, all Protestant Sects, they add in page 11—"In deciding on the just and prudent application of these funds, the

"Government will necessarily be influenced by the
"state of the population, as to religious opinions, at
"the period when the decision is to be taken,"—and
they add, as if to extinguish the right of the Church
of England, an opinion, which we have already
shewn to be incorrect—"At present, it is certain
"that the adherents of the Church of England consti-
"tute but a small portion of the population of Upper
"Canada." It is quite clear from these sentiments,
that the opinion of the Committee is not favourable
to the Church of England,—nor is it less evident
that they consider all denomination, except Roman
Catholics, entitled to share in the proceeds of the Re-
serves, whether they be three or three hundred.—
That this was not the intention of the Law, sufficiently
appears from His Majesty's Message to the Imperial
Parliament, in which a provision for the mainte-
nance of a Protestant Clergy was recommended: for
had it been so, where was the necessity which seems
to have been felt of making such particular mention
of any one denomination, as is made of the Church
of England, and omitting all mention of any other.—
The result of this would have been, that while it
gave no other rights to the Church of England than
it did to others, it would have imposed conditions
upon her from which all others would have been ex-
empt. This would involve another contradiction and
inconsistency in Legislation, which cannot be recon-
ciled with the known wisdom of the Imperial Parlia-
ment, and the great talents of the illustrious States-
man, under whose particular inspection the Bill was
drawn up, and became a Law.



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If the Committee adopted this opinion, from the hope that tranquillity would be restored by patronizing every Sect, they will find themselves totally mistaken; the indifference to all religion, which such an opinion proves, can be acceptable to no serious mind; and the hope that it will produce tranquillity, is fallacious.—Are the Members of the Church of England totally without feeling—and are they to be despoiled with impunity, of what they justly consider their vested rights—shall they quietly submit to the hand of the oppressor.—All denominations cannot be assisted from this source, which at present helps no one—a few only can be selected, even when it becomes productive—quarrels will arise on account of the proportions—resentment on being altogether left out, and the agitation which has been excited upon the subject will be augmented ten fold.

Such a policy, blind and infatuated as it would be, will not, if adopted, please the present Assembly of the Province, whose object, it is quite clear, is to prevent any aid whatever to be given to any religious denomination. They wish all to be reduced to a level, and then to shift for themselves.

From the moment that a hope was suffered to be entertained, that the support of the Church of England anticipated from the Clergy Reserves might be shaken, and that the teachers of other doctrines might be admitted to share the provision intended for her Clergy, from that moment, the Church of England has been represented as intolerant and bigoted, and no effort has been spared to excite a feeling against her, and no opportunity has been lost of inculcating the belief,

that the recognition and support of the Church of England, as an Established Church, is inconsistent with the public tranquillity.

To what extent, by what means, and for what object the public tranquillity has been disturbed is evident enough to reflecting persons in this Colony.

They know, and have seen, that from the earliest settlement of this Province, until the first agitation of the question alluded to, the people were happy and contented. The greatest cordiality, and indeed courtesy, prevailed among all denominations of Christians and their spiritual teachers; a cordiality and harmony that were exceeded in no country, and that existed in their fullest measure, so long as it was believed and admitted by all, that the Constitution recognized one, and but one, religious Establishment, and that while there was no distinction as to civil privileges among them, the Clergy of the National Church, and of that Church only, were to be supported from the proceeds of the Clergy Reserves.

During this period there were no distrusts or jealousies, and the services of the Clergymen of the Church of England, as public instructors, were highly appreciated, and gratefully enjoyed by the whole population. If the scene has in some degree changed, the change has been one not calculated to contribute to the happiness of the people, the improvement of society, or stability of the Government. Nor can I believe, that His Majesty's Government will embrace the delusive idea, that public tranquillity will be permanently promoted, or any good object gained in a British Colony,

by abandoning the best principles of our Constitution in deference to groundless complainis.

Neither the Clergy of the Church of England, nor of the Church of Scotland, nor of any Church, could have claimed support as an absolute right from the Parent State, but that right was conferred by the 31st, Geo. 3d, Chap. 31, on the Church of England, and it was conferred in accordance with the Constitution, in which the principles of that Chnrch are interwoven ; and although she may not have had an absolute right to make provision for the instruction of her children in a Colony, yet her claim was stronger, both from her being the religion of the great majority, and forming part of the supreme Government, than any other Church.

In 1791, whatever has been advanced to the contrary, the object of the Legislature in providing for the support and maintenance of a Protestant Clergy, had evidently in view the planting of the National Church in the Canadas, and this for the purpose of promoting order and good government, to civilize and ameliorate society, and to give all an opportunity of enjoying the benefit of the word and sacraments gratuitously. That for this end a provision had been made, of which the Executive Government of the Province were the Trustees, destined for the support of religion, and which could not be diverted to any other purpose, and this provision was intended to secure the religious instruction of the rich as well as the poor. No man was called upon to pay any thing in aid of this fund, but every land holder received his

land on the express condition of respecting the property of the Established Religion ; and what was called a grievance, namely, the partial non-occupation of the Reserves, is in fact no grievance ; for every man in this Province when he receives lands from the Crown, or purchases them from individuals, is aware that the very tenure, or title by which he holds them, secures at the same time the patrimony of the Church. Had Government conferred any civil privileges on the members of the National Church in the Colony, some ground of complaint might have been raised ; but the Church of England has no peculiar benefit in Upper Canada, except the prospect of future support from the Reserves. All denominations are equally free, and none have any political power or advantage over the other. The policy of depriving her of this future advantage may well be questioned. On this subject the Committee had the evidence of Mr. Alder, who distinctly states the sentiments of all the different denominations of Dissenters in the Province, Presbyterians excepted, "that if the revenues (arising from the Reserves) be appropriated to the sole use of the Church of England we shall offer no objection to it ; but that if the Presbyterians are to have any part of these Reserves, then we conceive that we have at least an equally good claim with them ; and we should be very much dissatisfied if our claims were disallowed."

Two things are evident from these remarks :—

1st. That there was peace and tranquillity in the Province, and the greatest harmony among all deno-

minations of Christians, while the Reserves were supposed to belong exclusively to the Church of England, a period of nearly thirty years. 2nd. That since a hope was entertained that they might be divided, much agitation has prevailed. And from these two facts, I am entitled to infer, that if the language of Government had been decisively in favour of the Church of England, as from law and policy it ought to have been, tranquillity and harmony would have been restored. Let it not, however, be inferred from this, that I am opposed to Government, assisting other denominations.—I should be sorry to stand between any of them and the bounty which His Majesty may be graciously pleased to grant them. I pleaded the cause of the Presbyterian Church in 1826, as well as the propriety of providing for the religious instruction of the Roman Catholics.—All I contend for is, that such aid shall not be taken out of the provision allotted to the Church of England, till the Reserves produce more than that Church requires for a decent maintenance—then it will be proper for the Government to consider what ought to be done w.th the overplus.

As an extraordinary contrast to the policy of taking the Patrimony of the Church of England, and dividing it among all Protestant denominations, I would desire to call attention to what is said respecting the Patrimony of the Church of Rome—"The Committee cannot too strongly express their opinion, that 'the Canadians, of French extraction, should in no degree be disturbed in the peaceful enjoyment of

"their religion, laws and privileges, as secured to them by the British Acts of Parliament." With the same breath, Sir, your Committee blows justice and robbery; the rights of the Members of the Church of England are secured by the very same Acts which secure those of the French Roman Catholics of Lower Canada, and ought to be held equally sacred.

It is deplorable to see recommendations, so inconsistent, and so destructive of true principles, emanating from a Committee of the British Senate. They appear to assume a merit, in giving up all principle, and instead of shewing an uncompromising adherence to what we have been in the habit of believing to be the pillars of that form of Government which has raised Great Britain to the highest pinnacle of terrestrial power, they kick them away with scorn.

To the majority of the best informed inhabitants of the Canadas, the whole Report, with much of the evidence, suggest the most melancholy reflections. When they fled from the rebellious Colonies during the American Revolution, or since that period, left the shores of Great Britain, to settle in the Canadas, they did not believe that they were flying from the British Constitution: yet they find that, in as far as religion is concerned, they are in danger of losing their Birth-right, and that the British Constitution, in Church and State, which used to be the glory of our Ancestors, and which was conferred upon the Canadas in 1791, is now to be broken down, and all affection and reverence for its benefits and excellence to be classed among antiquated prejudices.

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How any Government can expect to rule distant possessions, without adopting just and steady principles ; certain land marks which are never to be passed, I am at a loss to conjecture. But this I know, that by yielding to unreasonable demands, and trusting to enemies, rather than to the friends of good order, nothing but evil can ensue. If His Majesty's Government shall, in an unhappy moment, adopt your levelling recommendations, and break down our Constitution in the Colonies, it will not remain long safe at home, and that form of Government, which used, in former times, to be the envy of the world ; the model of Politicians ; the theme of the eloquent, and the meditation of the wise, will soon disappear, and give place to a ruthless democracy, before which, neither talents nor virtue will avail.

The policy which has been adopted towards the Canadas for some years past, is producing a similar state of things to that which existed in America before the Revolution, and this is the more appalling as the great majority of the people have peculiar claims to protection and indulgence. Driven from their homes by rebellion, or emigrating from the Parent State in quest of comfort and tranquillity, they find all their hopes blasted by a turbulent and clamorous minority, consisting of discontented persons, who failed in exciting disturbances at home, or persons from the United States, who hate every thing that is English.

This small, but ferocious, minority, is encouraged by the attention paid to their representations, and the more they show themselves the enemies of British

principles, and the Church of England, the more are they caressed by the opposition in Parliament, and sometimes even by the Ministry themselves, while the true friends of the Constitution are treated with scorn and neglect. Thus encouraged, and restrained by no principle, they are busily employed in poisoning the minds of the people by a regular system of deception, calumny and slander. Never, indeed, was the atrocious practice of libelling and defaming eminent individuals of known ability, integrity and loyalty, carried to such lengths as in these Colonies.—That practice which Burke so eloquently and justly terms the system of slander, more cruel than the sword.—Nor has this system of slander, which has been pursued with such base malignity against every respectable character, been confined to worthless Journals, but has been adopted and improved upon by a temporary faction in the House of Assembly, who, not satisfied with making the most intemperate attacks in their Speeches upon every one who dared to oppose their destructive proceedings, have lately fallen upon the novel method of embodying their calumnies and falsehoods in the shape of Reports of Select Committees, founded upon no evidence or exparte statements.—And after all, how can we condemn them, when we see a Report by a Select Committee of the House of Commons, as deserving of all these remarks as any which they have promulgated.

In fine, Sir, the policy in regard to the Clergy Reserves is plain and simple. Till they yield a provision more than sufficient for a reasonable support

to the Clergy of the Church of England, actually serving in this Province, they should be declared as belonging exclusively to that Church. And in the mean time, the assistance which has already been given to the Clergy of the Church of Scotland, and the Church of Rome, residing in Upper Canada, should be gradually increased, as their necessities may require.

RELIGIOUS ESTABLISHMENTS.

It ought, Sir, to be the first principle of every Christian Government to teach the Gospel to the people, and to provide that all shall have an opportunity of being carefully instructed in its purifying and important truths. But how can this be effectually done except by an Establishment which shall have the power to appoint a Preacher of righteousness in every small society within the bounds of its jurisdiction.— So eminently wise and beneficial is such an arrangement, that it has been frequently adduced as a collateral evidence of the Divine origin of that religion by which it was suggested. Accordingly, the most eminent men in every age of the Church have been strenuous advocates for religious Establishments. “I “am,” said the late Mr. Fox, “the friend of a religious “Establishment, because I am the friend of toleration “without restriction. It is highly proper that a system “of instruction for the improvement of morals should “be provided for in every country, and equally proper “that those who dissent from that system should incur “no penalties, and suffer no disabilities on account of

"this dissent. To admit religious instruction on this principle is to cherish and extend the sphere of true morality and religion."

Now it is exactly on this principle that the religious Establishment in this Province rests ; it possesses the hope of future support from the bounty of the Parent State, but no rights or privileges, civil or religious, which other denominations do not enjoy. Its discipline, its rites and ceremonies, its canons and liturgy, apply not to the members of any other Church, nor to any Clergy but her own ; and as other denominations have their own rules and regulations, the Established Church, in these particulars, is nearly on a footing of equality. All parties retain the right of worshipping God as their consciences direct, and of educating their children as they please. There is no difference but this—the Established Church expects, because it has been conferred by law, a future provision for the support of her Ministers, and thus to be enabled to confer upon those who desire it, all the benefits which attend the institution of Parochial Instructors, without money and without price.

Dr. Chalmers, in pleading the cause of religious Establishments, wishes them not to be raised as an exclusionary barrier against the propagation of religious truth on the part of Dissenters, but that by the superiority of their machinery, and by means of the lofty vantage ground upon which they stand, they may be able to do that for the Nation which, with all their zeal and devotedness, other denominations can only do for scattered portions of it, and in the way of salutary reaction.

There are hundreds of Parishes, both in England and Scotland, in which the principles of Christianity would never have been known but for the Established Clergy. Parishes to which the Dissenters never have penetrated, and never would have penetrated, because the population having no desire for such knowledge would not have contributed to the support of religious teachers.

In a publication printed at Edinburgh some years ago, it is stated, that there are in Scotland 856 Parish Churches, besides Chapels of ease, for each of which a Clergyman is provided by the Establishment. It is farther stated, that there are of Dissenting places of Worship of every description, 588, leaving 238 Parishes, which would be totally destitute but for an Establishment, or one-third of the whole country, but the proportion is much more—for these Dissenting places of Worship are almost exclusively confined to Towns and Villages, and hardly one is found in Country Parishes, properly so called,—so that instead of one-third, more than five hundred Parishes, or two-thirds of the Kingdom of Scotland, had there been no religious Establishment, would be totally without the exterior Worship of God.

Assuming the same proportions, the like reasoning applied to England, will present the advantages of a regular Establishment in a yet stronger light. There are in the Kingdom about eleven thousand Parishes, and the Dissenters are nowhere found in numbers except in Towns and Villages: for nowhere else are they able to maintain their Teachers; and it is there-

fore within bounds to say, that more than six thousand Parishes, without a Religious Establishment, would be totally deprived of the Ministrations of Religion.

With such facts before us, there can be but one opinion on the utility of Religious Establishments among those who have sincerely, and without prejudice, examined the subject. In his late publication on the use and abuse of Literary and Ecclesiastical endowments, Dr. Chalmers demonstrates in the most satisfactory manner, that mighty as is the influence of truth, when fairly presented to the mind, it is neither right nor safe to leave it to its own resources, or rather without any resources whatever. Experience shews that the demand for the commodities which Religion has to impart, however valuable her Merchandise, is not such as to supersede the necessity of those subsidiary measures which are provided in an Ecclesiastical Constitution, and supported by adequate endowments. And he justly remarks, that though the Machinery of such a Constitution may be better wrought at one time and worse at another, yet, even with all their faults, the Church Establishments of Great Britain are a stay and safe-guard, and that a helpless and headlong degeneracy would ensue from their demolition. "I have heard, says this eloquent Divine, speaking before the General Assembly "of the obloquy which a Clergyman incurs by "his eager pursuit after the objects of temporal am- "bition, and I know just as much of that obloquy as "thoroughly to despise it. I have sickened a thou-

“ sand times over at the flippancy of those tame and
“ hackneyed declamations in which the Clergy are
“ represented, as made up of selfishness and hy-
“ porisy; and the poor deluded country as groaning
“ under the jugglery of a designing and ambitious
“ Priesthood: and this is said of a body of men la-
“ bouring for the highest interests of the species, and
“ whose labours, to be successful, must be supported
“ by the genteel independence of their circumstances.
“ It is not for their interests, but the interests of Re-
“ ligion, that I am pleading; for the character of the
“ future age, and for the interests of children that
“ are yet unborn. There has, for years past, been a
“ progress in the circumstances of the Clergy, to-
“ wards obscurity and degradation,—let this be suf-
“ fered to continue for a few years to come, and their
“ usefulness is annihilated, and their respectability is
“ gone forever; they will labour in all the humility of
“ dependence; the cold blast of poverty will stifle
“ all that is manly and generous within them; and
“ instead of the intrepid assertors of truth and purity,
“ the Church will be filled by men trained by want to
“ the most disgraceful compliances, truckling in the
“ low walks of sycophantish accommodation, and
“ ready at all times, for the patronage of a superior,
“ to bow the knee, and raise the polluted incense of
“ flattery, and Religion will lose its estimation the
“ moment that Ministers lose their influence and their
“ respectability. To say, continues this powerful
speaker, “ that a Clergyman’s learning and virtues
“ are sufficient to maintain his usefulness and re-

"spectability, is unsupported by human experience.
 "—Worth must be combined with importance.—
 "Give both worth and importance to the same individual, and you make him a distinguished Member
 "of Society; the ornament of a most respectable
 "Profession; the virtuous companion of the great;
 "and a generous consolation to all the sickness and
 "poverty around him."

In the publication giving a sort of Religious Anatomy of Scotland, already referred to, it is affirmed, that those who attend no Church, and who profess to be of no Religion, are double the number of those who receive the benfits of the Ecclesiastical Establishment, and this proportion is stated to be within the truth. Accordingly, this writer, out of 2,096,510, the population of Scotland at that time, assigns 1,026,132 for those who are of no Church. Whether this estimate be absolutely correct, is of little consequence to the argument, it being sufficient for my purpose that it be nearly so.—Now, if a country like Scotland contains so many persons indifferent to Religion, and upon the greater number of whom a salutary change might, with discreet zeal, be effected, the proportion cannot be less in this Province, where few opportunities for religious instruction yet exist.

Taking Upper Canada to contain 200,000, it may be presumed that one half profess no decided preference to one denomination more than to another; that they are open to all zealous teachers, and that the greater number may be won over. But who can undertake this mission with more effect than the

Clergy of the Established Church ? It has been already shewn that one-fifth of the population is friendly or attached to her ministrations. The Lutherans and Methodists hold the same religious principles, and as their services are irregular, even while they adhere to their respective forms, they will attend often upon those of the Church.

But the Church of England has peculiar claims on the sympathy and gratitude of the inhabitants of Upper Canada. Her Missionaries have laboured since the first settlement of the Province, in the religious instruction of the people ; and many of the grown up inhabitants have been Baptized, and Married, and a great proportion of the old Buried by them : it is not, therefore, too much to assert, that the services of the Established Church would at this moment be acceptable to half the population, had we the means of sending Clergymen into all the Settlements. Nor is there any doubt but that a fair proportion of the other half would, in time, join the Church. And thus all the benefits of an Ecclesiastical Establishment would, in time, be enjoyed to as great an extent in Upper Canada as they are at present in England and Scotland.

Surely, no man who has the extension of Christ's Kingdom at heart, can, for a moment, refrain from wishing that those who are not Christians should become attached to the Church of England, rather than to no Church.—Now a large portion of the inhabitants of this Province may be said to be without Religion, not from any fault of their own, but because its ministrations are unknown to them ; and those who are not

as been altogether ignorant of its ministrations, are so little in the habit of attending Public Worship, or being instructed in the principles of Religion, that they may be said to be altogether ignorant of Spiritual Christianity.

This ignorance cannot be effectually removed without a regular and standing Ministry, responsible for the proper discharge of their duty; but will go on increasing; for thousands are growing up in total darkness in the back settlements, to which the Teachers of Religion seldom penetrate.

Assuming, as before, the population of the Province at 200,000, it will, according to the most approved analysis, give the following results:—

Under 14 years of age, - - - - -	84,000
Of 14, and under 20, - - - - -	56,000
Of 20, and under 45, - - - - -	40,000
Of 45, and above, - - - - -	20,000

From this Table, it is evident, that the greater portion of the inhabitants have had little or no opportunity of acquiring Religious knowledge. Is it then to be doubted that much good would be effected, by placing in every Township one or more zealous Clergymen, to instruct the people and their children in the truths and duties of Religion—to become the centre of civilization; the friend and adviser of the people; their consoler in affliction; their guide to Heaven?

In regard to Christianity, it may be remarked, that the spontaneous demand of human beings for a knowledge of its truths, is far short of the actual interest which they have in them. This is not so

with food and raiment, or any article which ministers to the necessities of our physical nature. The more destitute we are of such articles, the greater our desire to possess them. But the case is widely different in regard to religious instruction.—The less we have of it the less we desire to have of it. For it is not with the aliment of the body as it is with the aliment of the soul. The former will be sought after, the latter must be offered to a people whose spiritual appetite is in a state of dormancy, and with whom it is just as necessary to create a hunger as it is to minister a positive supply. Now if there do exist a great moral incapacity on the part of our species, in virtue of which, if the lessons of Christianity be not constantly obtruded upon them, they are sure to decline in taste and in desire for the lessons of Christianity ; and if an Establishment be a good device for overcoming this evil tendency of our nature, it ought, unquestionably, to be put in action. Nature does not go forth in search of Christianity, but Christianity goes forth to knock at the door of nature, and, if possible, to awaken her out of her sluggishness.—This was the way of it at its first promulgation. It is the way of it in every Missionary entreprize, and seeing that the disinclination of the human heart to entertain the overtures of the Gospel, is the mightiest obstacle to its reception among men, a series of measures in its behalf ought to be carried on from age to age, in every clime and possession belonging to a Christian Nation. To wait till the people shall stir so effectually as that places of worship shall be built by them, and the maintenance of Teachers shall be

provided by them, and that abundantly enough for all the moral and spiritual necessities of a Nation, is very like a reversal of the principle on which Christianity was first introduced among us, and on which Christianity must still be upheld.

It is therefore wise in every Christian Government, to meet the people with the full means of Religious Education. With an Establishment, a Church is built, and a Teacher is provided in every little District of the Land. Without it we should have no other security for the rearing of such means, than the native desire and demand of the people for Christianity from one generation to another. In this state of things, Christian cultivation would be found just as it is in this Province, in rare and occasional spots; and instead of that uniform distribution of the word and ordinances which it is the tendency of an Establishment to secure, there would be, as we find, over all North America, dreary, unprovided blanks, where no regular supply of instruction was to be had, and where there was no desire after it on the part of an untaught and neglected population.

But let us see what obstacles would stand in the way of a zealous and discreet Clergyman, placed in any of our Settlements.

It is quite obvious that a large portion of the population wherever he goes are disposed to profit by his ministrations. I do not pretend to say that Clergymen of some other denominations might not be as well received, had they the means of settling in these destitute spots without calling upon the inhabitants for support. But in speaking of an Establishment some

one denomination must be selected, and a provision for its Clergy assigned. This provision having been assigned to us, I am persuaded that, if it were made available to place a Clergyman in each of the two hundred Townships, whose population requires religious instruction, there would be no doubt of their success.

Let such a religious teacher, with a conscience alive to his duty, and an understanding strongly convinced of the truths of the Gospel, be placed in any settlement in Upper Canada, and with these as his only recommendations, let him go forth among the people, differing among themselves as to points of doctrine, and very much alive to take offence ; let many of these be prepared to disturb him with all the senseless folly which dark and narrow bigotry can produce, yet if he, with a spirit of forbearance, exalted above these petty annoyances, proceeds with zeal and determination to acquit himself of cardinal obligation, and labours among them in the spirit of devotedness, it will soon be seen that the general good will of the neighbourhood will follow him. Such a Clergyman will soon win those, who were at first the most opposed to him, over to his views ; he will be able to remove their prejudices, to inform their ignorance, and to infuse into their minds the spirit of the Gospel.

With the pure doctrine of the Bible for his pulpit, and an overflowing charity in his heart for household ministrations, his progress will be irresistible ; such worth and such affection on the week days, from one who preaches the truths of Scripture on the Sundays, will obtain from all the true reward of moral worth

and moral wisdom ; a deference, an affection and respect, which shall enable him in a short time to become the centre of infinite good. Such a person, placed in the middle of one of our Townships, if he performs his various duties conscientiously, must become exceedingly useful and popular, since it is in the very nature of those duties to touch their hearts ; to promote mutual love and good-will towards one another. Nor is it only in ministering to those who are more particularly his flock that his usefulness is confined ; he becomes the adviser and umpire of the Settlement. It matters not to what denomination the parties belong ; he is the steady friend of all ; anxious to allay their violent and selfish passions, and to preserve among kindred and neighbours the social affections.

In all their difficulties and distresses, which in a new country like this are numerous and frequent ; in their murmurings ; in their sad recollections of the friends they have left behind, and the scenes of their childhood which they are never again to behold, he comes like a good Angel to console and encourage them, by suggesting nobler motives than this world can offer. Knowing that ignorance is the parent of vice, and knowledge the parent of civilization and virtue, he seeks to promote education by the establishment of Schools, and encourages the pupils and teachers by frequent visits and judicious commendation. A Clergyman of this description, making no distinction in acts of kindness between his own and other denominations, cannot fail of becoming a blessing to his neighbourhood. And when we consider the many opportunities which he possesses of gaining a salutary

influence among the people, at baptisms, at marriages, in sickness, in misfortunes and at funerals; in protecting the orphan, the fatherless and the widow, we may safely conclude that such Clergymen as do not acquire this influence are themselves to blame.

A Parish Priest is an integral part of God's visible Church on earth, and essential to the spreading of moral and religious truth and feeling, and to the support and permanent effect of Christianity; and all the blessings which the faint picture which we have given of a pious Clergyman, residing in one of our Townships, are reaped in thousands of the Parishes of the United Kingdom. And can we doubt, Sir, but that from the peculiar nature and circumstances of the population, a resident Clergy would be at least of equal importance here? And yet, Sir, this is the blessing of which you desire to deprive us. You seek to destroy that religious Establishment which Mr. Pitt designed for the Canadas, and which is calculated to confer so many precious advantages. An Establishment which interferes with no other denomination, and possesses no other right than the support of its Clergy, and can, therefore, give them no reasonable cause of offence. An Establishment which is a branch of the United Church of England and Ireland, and the existence of which, in this Province, is essential to the completion of the Constitution conferred upon us by the Imperial Government.

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APPENDIX.

*An extract from the Report of the Select Committee of the
House of Commons, on the Civil Government of Canada.*

IT now remains for us to lay before the House the result of our inquiries into the Clergy Reserves, which appear, by the statements of the Petitioners from Upper Canada, to be the cause of much anxiety and dissatisfaction in that Province.— By the Act of 1791 the Governor is directed to make, from and out of the Lands of the Crown within such Provinces, such allotment and appropriation of Lands for the support and maintenance of a Protestant Clergy within the same, as may bear a due proportion to the amount of such Lands within the same, as have at any time been granted by or under any authority of His Majesty. And it is further provided, that such Lands so allotted and appropriated shall be, as nearly as the circumstances and the nature of the case will admit, of the like quality as the Lands in respect of which the same are so allotted and appropriated; and shall be, as nearly as the same may be estimated at the time of making such grant, equal in value to the seventh part of the Lands so granted.

The directions thus given have been strictly carried into effect, and the result is, that the separate portions of Land which have been thus reserved are scattered over the whole of the Districts already granted.

It was no doubt expected by the framers of this Act that, as the other six parts of the Land granted were improved and cultivated, the reserved part would produce a rent, and that out of the profits thus realized an ample fund might be estab-

lished for the maintenance of a Protestant Clergy. These anticipations, however, have not as yet been, and do not appear likely to be soon, realized. Judging indeed, by all the information the Committee could obtain on this subject, they entertain no doubt that these reserved Lands, as they are at present distributed over the country, retard more than any other circumstance the improvement of the Colony, lying as they do in detached portions in each Township, and intervening between the occupations of actual settlers, who have no means of cutting roads through the woods and morasses which thus separate them from their neighbours. The allotment of those portions of reserved wilderness has, in fact, done much more to diminish the value of the six parts granted to these settlers, than the improvement of their allotments has done to encrease the value of the reserve. This we think must be apparent from the results of the attempts which have been made to dispose of these Lands. A corporation has been formed within the Province, consisting of the Clergy of the Church of England, who have been empowered to grant leases of those Lands for a term not exceeding 21 years. It appears that in the Lower Province alone the total quantity of Clergy Reserves is 488,594 acres, of which 75,639 acres are granted on leases, the terms of which are, that for every lot of 200 acres, eight bushels of wheat, or twenty-five shillings per annum, shall be paid for the first seven years; sixteen bushels, or fifty shillings per annum, shall be paid for the next seven years, and twenty-four bushels, or seventy-five shillings per annum, for the last seven years.—Under these circumstances, the nominal rent of the Clergy Reserves is £930 per annum. The actual receipt for the average of the last three years has been only £50 per annum.—The great difference between the nominal and the net receipt is to be accounted for by the great difficulty of collecting rents, and by tenants absconding. We are informed also, that the resident Clergy act as local agents in collecting the rents, that

These do not appear all the information, they enter are at present other circumstances as they do in running between means of cutting thus separate those portions are to diminish than the increase the value from the re pose of these the Province, and, who have for a term not over Province 8,594 acres, the terms of four bushels of paid for the £ per annum, four bushels, seven years.— of the Clergy for the average £ per annum.— The net receipt of rents, also, that the rents, that

a sum of £175 had been deducted for the expenses of management, and that at the date of the last communication on this subject, £250 remained in the hands of the Receiver General, being the gross produce of the whole revenue of an estate of 954,488 acres.

An attempt has been made to dispose of this estate by sale. The Canada Company, established by the Act, 6th Geo. IV. cap. 75, agreed to purchase a large portion of these reserves at a price to be fixed by Commissioners; 3s. 6d. per acre, was the price estimated, and at this sum an unwillingness was expressed on the part of the Church to dispose of the Lands.

The Government, therefore, have made arrangements with the Company, and an Act has since been passed authorising the sale of these Lands to any person desiring to purchase them, provided the quantity sold does not exceed 100,000 acres each year.

As your Committee entertain no doubt that the reservation of these Lands in Mortmain is a serious obstacle to the improvement of the Colony, they think every proper exertion should be made to place them in the hands of persons who will perform upon them the duties of settlement, and bring them gradually into cultivation.

That their value, whatever it may be, must be applied to the maintenance of a Protestant Clergy, there can be no doubt.— And your Committee regret that there is no prospect, as far as a present and a succeeding generation is concerned, of their produce being sufficient for that object, in a country where wholly unimproved land is granted in fee for almost nothing to persons willing to settle on it. It is hardly to be expected that, with the exception of some favoured allotments, responsible tenants will be found who will hold on lease, or that purchasers of such Land will be found at more than a nominal price.

Your Committee, however, are happy to find that the principle of the progressive sale of these lands has already been sanctioned by an Act of the British Parliament. They cannot avoid recommending, in the strongest manner, the propriety of securing for the future any provision which may be deemed necessary for the religious wants of the community in those Provinces, by other means than by a reservation of one-seventh of the land, according to the enactment of the Act of 1791.— They would also observe, that equal objections exist to the reservation of that seventh, which in practice appears to be reserved for the benefit of the Crown; and doubtless the time must arrive when these reserved Lands will have acquired a considerable value from the circumstance of their being surrounded by settled districts, but that value will have been acquired at the expense of the real interest of the Province, and will operate to retard that course of general improvement, which is the true source of national wealth. Your Committee are of opinion therefore, that it may be well for the Government to consider whether these Lands cannot be permanently alienated, subject to some fixed moderate reserved payment, (either in money or in grain, as may be demanded,) to arise after the first ten or fifteen years of occupation. They are not prepared to do more than offer this suggestion, which appears to them to be worthy of more careful investigation than it is in their power to give to it; but in this, or in some such mode, they are fully persuaded the Lands thus reserved ought, without delay, to be permanently disposed of.

To a property at once so large and so unproductive, it appears that there are numerous claimants.

The Act of 1791 directs that the profits arising from this source shall be applied to a Protestant Clergy; doubts have arisen whether the Act requires the Government to confine them to the use of the Church of England only, or to allow the Church of Scotland to participate in them. The Law Of-

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ficers of the Crown have given an opinion in favour of the Rights of the Church of Scotland to such participation, in which your Committee entirely concur ; but the question has also been raised, whether the Clergy of every denomination of Christians, except Roman Catholics, may not be included ; it is not for your Committee to express an opinion as to the exact meaning which the words of the Act legally convey. They entertain no doubt, however, that the intention of those persons who brought forward the measure in Parliament was to endow with Parsonage Houses and Glebe Lands, the Clergy of the Church of England, at the discretion of the local Government ; but with respect to the distribution of the proceeds of the reserved Lands generally, they are of opinion that they sought to reserve to the Government the right to apply the money, if they so thought fit, to any Protestant Clergy.

The Committee sees little reason to hope that the annual income to be derived from this source is likely, within any time to which they can look forward, to amount to a sufficient sum to provide for the Protestant Clergy of these Provinces ; but they venture to press the early consideration of this subject on His Majesty's Government, with a view to an adjustment that they may be satisfactory to the Province ; of the principle on which the proceeds from these Lands are hereafter to be applied, and in deciding on the just and prudent application of these funds, the Government will necessarily be influenced by the state of the population, as to religious opinions, at the period when the decision is to be taken. At present it is certain that the adherents of the Church of England constitute but a small minority in the Province of Upper Canada. On the part of the Scotch Church, claims have been strongly urged on account of its establishment in the Empire, and from the numbers of its adherents in the Province. With regard to the other religious sects, the Committee have found much difficulty in ascertaining the exact numerical proportions which they bear one

to the other ; but the evidence has led them to believe, that neither the adherents of the Church of England nor those of the Church of Scotland form the most numerous religious body within the Province of Upper Canada.

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